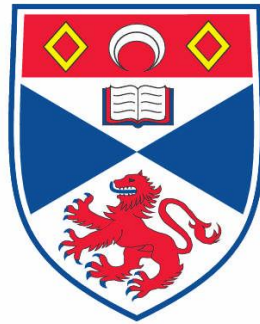


Family conflict in ducal Normandy, c. 1025-1135

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This thesis is submitted in partial fulfilment for the degree of PhD
at the
University of St Andrews

6 June 2013

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I, Catherine Hammond, hereby certify that this thesis, which is approximately 80,000 words in length, has been written by me, that it is the record of work carried out by me and that it has not been submitted in any previous application for a higher degree.

I was admitted as a research student in September 2009, and as a candidate for the degree of PhD in May 2010; the higher study for which this is a record was carried out in the University of St Andrews between 2009 and 2013.

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Abstract

This thesis focuses on conflict within families in Normandy, c. 1025 to 1135. Despite the occurrence of several acute struggles within the ducal house during this period, and a number of lesser known but significant disputes within aristocratic families, this topic has attracted little attention from historians. Kin conflict was cast by medieval commentators as a paradox, and indeed, it is often still regarded in these terms today: the family was a bastion of solidarity, and its members the very individuals to whom one turned for support in the face of an external threat, so for a family group to turn against itself was aberrant and abhorrent. In this thesis, I draw on significant narrative and documentary evidence to consider the practice and perception of family discord. When considered in its broader setting, it emerges that kin disputes were an expected and accepted part of Norman society at this time. I begin by introducing the topic, justifying my approach, considering the relevant historiography, and providing an overview of the sources. In chapter one, I examine the representations of family and conflict in a range of primary sources to glean contemporary views. In chapters two and three, I focus on the practice of conflict within the ducal family, considering the causes of disputes, and then the place of internal ducal dissension in the Norman world. Chapter four analyses the same issues in relation to discord within aristocratic families, before chapter five explores family disputes which arose from patronage of the Church. In the conclusion, I consider the Norman example within its comparative contemporary milieu and ponder the broader themes of family conflict.

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I should also like to thank the staff at the bibliothèque nationale in Paris, and at the archives in Caen, Rouen and Evreux, for assistance with my manuscript research. Kimberley Knight and Eilidh and Iain Harris were willing hosts and drivers before and after my late-night and early-morning journeys to and from France. Pierre Bauduin helped arrange accommodation in Caen, Elma Brenner advised on Rouen, and Marie Brogly, Roberta Cimino and Justine Firnhaber-Baker on Paris. I am also appreciative of the opportunity provided me by the International Medieval Society of Paris to present my research to them.

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My interest in medieval history began, as is probably quite typical, with childhood trips to castles, and my parents raised me to be always curious, thoughtful and interested in the world around. I hope they have not taken my choice of thesis topic too much to heart. My grandfather encouraged my historical interests; it may not be Alexander, but I like to think he would be proud nonetheless. My brother Jim has helped me to see the wood for the trees while we have both been living in Scotland, sometimes literally. My mother has read the entire thesis in draft and greatly improved it with her suggestions, questions and challenges, and continues to be my greatest source of inspiration.

Abbreviations

<i>Abbayes caennaises</i>	<i>Les actes de Guillaume le Conquérant et de la reine Mathilde pour les abbayes caennaises</i> , ed. L. Musset (Caen, 1967)
AD	Archives départementales
ADC	Archives départementales du Calvados
ADE	Archives départementales de l'Eure
ADSM	Archives départementales de la Seine-Maritime
AN	<i>Annales de Normandie</i>
ANS	<i>Anglo-Norman Studies</i>
ASC	<i>Anglo-Saxon Chronicle</i> , tr. G. N. Garmonsway (2 nd ed.; London, 1954)
Bates, <i>Normandy</i>	D. Bates, <i>Normandy before 1066</i> (London, 1982)
Bayeux	<i>Antiquus cartularius ecclesiae Baiocensis</i> (livre noir), ed. V. Bourrienne (Rouen, 1902)
BES	Bibliothèque de l'évêché de Sées
BM	Bibliothèque municipale
BNF	Bibliothèque nationale de France
BR	' <i>Brevis relatio de Guillelmo nobilissimo comite Normannorum</i> , written by a monk of Battle Abbey', ed. and tr. E. M. C. van Houts, in <i>History and Family Traditions in England and the Continent, 1000-1200</i> (Aldershot, 1999), VII
<i>Charters and Custumals</i>	<i>Charters and Custumals of the Abbey of Holy Trinity, Caen: Part 2, the French Estates</i> , ed. J. Walmsley (Oxford, 1994)
Consuetudines	' <i>Consuetudines et justicie</i> ', in Haskins, <i>Institutions</i> , appendix D
Crouch and Thompson	D. Crouch and K. Thompson, eds, <i>Normandy and its Neighbours, 900-1250: Essays for David Bates</i> (Turnhout, 2011)
DOW	<i>De obitu Willelmi</i> , in <i>GND</i> II, 184-91

Dudo	Dudo of Saint-Quentin, <i>De moribus et actis primorum Normanniae ducum</i> , tr. E. Christiansen (Woodbridge, 1998)
<i>EHD</i>	<i>English Historical Documents</i>
<i>EHR</i>	<i>English Historical Review</i>
<i>EME</i>	<i>Early Medieval Europe</i>
Garnett and Hudson	G. S. Garnett and J. G. H. Hudson, eds, <i>Law and Government in Medieval England and Normandy: Essays in Honour of Sir James Holt</i> (Cambridge, 1994)
Gazeau and Green	V. Gazeau and J. A. Green, eds, <i>Tinchebray 1106-2006: actes du colloque de Tinchebray (28 – 30 septembre 2006)</i> (Flers, 2009)
<i>GG</i>	William of Poitiers, <i>Gesta Guillelmi</i> , ed. and tr. R. H. C. Davis and M. Chibnall (Oxford, 1998)
<i>GND</i>	William of Jumièges, Orderic Vitalis, and Robert of Torigni, <i>Gesta Normannorum Ducum</i> , ed. and tr. E. M. C. van Houts (2 vols; Oxford, 1992-95)
Guibert	Guibert de Nogent, <i>Memoirs</i> , tr. J. F. Benton, <i>Self and Society in Medieval France</i> (Toronto, 1984)
Haskins, <i>Institutions</i>	C. H. Haskins, <i>Norman Institutions</i> (New York, 1918)
HH, <i>DCM</i>	Henry of Huntingdon, <i>De contemptu mundi</i> , in HH, HA, 584-619
HH, HA	Henry of Huntingdon, <i>Historia Anglorum</i> , ed. and tr. D. Greenway (Oxford, 1996)
<i>HR</i>	<i>Historical Research</i>
<i>HSJ</i>	<i>Haskins Society Journal</i>
<i>JEH</i>	<i>Journal of Ecclesiastical History</i>
<i>JMH</i>	<i>Journal of Medieval History</i>
<i>JML</i>	<i>Journal of Medieval Latin</i>
Jumièges	<i>Chartes de l'abbaye de Jumièges (v. 825 à 1204)</i> , I, ed. J.-J. Vernier (Rouen, 1916).

JW	John of Worcester, <i>The Chronicle of John of Worcester</i> , ed. and tr. P. McGurk (vols 2-3; Oxford, 1995-98)
La Trinité du Mont	‘Cartulaire de l’abbaye de la Saint-Trinité du Mont de Rouen’, ed. A. Deville, in <i>Cartulaire de l’abbaye de Saint-Bertin</i> , ed. B. Guerard (Paris, 1841), pp. 403-87
Le Prévost	Orderic Vitalis, <i>Ecclesiasticae historiae libri tredecim</i> , ed. A. Le Prévost (5 vols; Paris, 1835-55)
Le Tréport	<i>Cartulaire de l’abbaye de Saint-Michel-du-Tréport, ordre de Saint-Benoît</i> , ed. P. Laffleur de Kermaingant (Paris, 1880)
MGH	<i>Monumenta Germaniae Historica</i>
Mont-Saint-Michel	<i>The Cartulary of the Abbey of Mont-Saint-Michel</i> , ed. K. S. B. Keats-Rohan (Donington, 2006)
MP	<i>Medieval Prosopography</i>
Orderic	Orderic Vitalis, <i>The Ecclesiastical History</i> , ed. and tr. M. Chibnall (6 vols; Oxford, 1969-80)
P&P	<i>Past & Present</i>
PL	<i>Patrologia Latina</i>
Préaux	<i>Le cartulaire de l’abbaye bénédictine de Saint-Pierre-de-Préaux (1034-1227)</i> , ed. D. Rouet (Paris, 2005)
Power, <i>Frontier</i>	D. Power, <i>The Norman Frontier in the Twelfth and Early Thirteenth Centuries</i> (Cambridge, 2004)
RADN	<i>Recueil des actes des ducs de Normandie de 911 à 1066</i> , ed. M. Fauroux (Caen, 1961)
RHC Occ.	<i>Recueil des historiens des croisades: historiens occidentaux</i> (5 vols; Paris, 1844-95)
RHF	<i>Recueil des historiens des Gaules et de la France</i> , ed. M. Bouquet (24 vols; Paris, 1738-1904)

<i>RRAN: William I</i>	<i>Regesta regum Anglo-Normannorum: the Acta of William I (1066-1087)</i> , ed. D. Bates (Oxford, 1998)
<i>RRAN I</i>	<i>Regesta regum Anglo-Normannorum, 1066-1154: Volume I, Regesta Willelmi Conquestoris et Willelmi Rufi, 1066-1100</i> , ed. H. W. C. Davis, ass. R. J. Whitwell (Oxford, 1913)
<i>RRAN II</i>	<i>Regesta regum Anglo-Normannorum, 1066-1154: Volume II, Regesta Henrici primi, 1100-1135</i> , ed. C. Johnson and H. A. Cronne (Oxford, 1956)
<i>RRAN III</i>	<i>Regesta regum Anglo-Normannorum, 1066-1154: Volume III, Regesta regis Stephani ac Mathildis imperatricis ac Gaufridi ac Henrici ducum Normannorum, 1135-1154</i> , ed. H. A. Cronne and R. H. C. Davis (Oxford, 1968)
RT	Robert of Torigni, <i>Chronica</i> , ed. R. Howlett, <i>Chronicles of the Reigns of Stephen, Henry II and Richard I</i> , IV (London, 1889)
Saint-Wandrille	<i>Etudes critiques sur l'abbaye de Saint-Wandrille</i> , F. Lot (Paris, 1913)
Suger	Suger, <i>Deeds of Louis the Fat</i> , tr. R. Cusimano and J. Moorhead (Washington, 1992)
Tabuteau, <i>Transfers</i>	E. Z. Tabuteau, <i>Transfers of Property in Eleventh-Century Norman Law</i> (Chapel Hill, 1988)
TRHS	<i>Transactions of the Royal Historical Society</i>
Wace, <i>RB</i>	Wace, <i>Roman de Brut</i> , ed. and tr. J. Weiss (2 nd ed; Exeter, 2002)
Wace, <i>RR</i>	Wace, <i>Roman de Rou</i> , ed. and tr. G. S. Burgess (Woodbridge, 2004)
WM, <i>GRA</i>	William of Malmesbury, <i>Gesta regum Anglorum</i> , ed. and tr. R. A. B. Mynors, compl. R. M. Thomson and M. Winterbottom (Oxford, 1998).
WM, <i>HN</i>	<i>Historia novella</i> , ed. E. King, tr. K. R. Potter (Oxford, 1998).

Note

With the exception of well-known figures, such as William of Arques and Robert of Torigni, I have observed the following rule. For those with English toponyms, I have used ‘of’; for those with French toponyms, I have used ‘de’: so, Robert of Gloucester, but Robert de Meulan.

Latin quotations are given in the footnotes where the translation or paraphrase in the body of the text is my own.

Introduction

This thesis examines the practice and perception of conflict between family members in eleventh- and early twelfth-century Normandy. My interest in this topic arose from the observation that despite widespread contemporary condemnation of familial discord, episodes of kin conflict occurred regularly over this period. Internal family strife was denounced both in general, as morally aberrant behaviour, and in particular: for instance, one twelfth-century Norman chronicler recounts, ‘contrary to natural and moral law, Henry, the son of the emperor [Henry IV], rebelled against his father.’¹ In reality, Norman history of this period is peppered with dramatic dynastic disputes. Among the aristocracy, Arnulf de Bellême’s filial defiance, as he usurped his father’s lands and consigned his parent to a life of poverty and exile, provides a striking example. The ruling house also saw significant internal unrest. A suspicion of fratricide hung over the accession of Duke Robert I in 1027, and Duke William II was troubled by dissenting kinsmen early in, and at the height of, his rule. The fraternal clashes of the 1090s and early 1100s seriously undermined the stability of the Anglo-Norman realm, the legacy of which was the long struggle between Henry I and William Clito, brought to an end only by Clito’s premature death in 1128.

Family conflict therefore merits a closer examination to consider this apparent dichotomy between ideal and reality. I have taken a two-pronged approach, considering the way in which conflict was perceived by contemporaries and the way in which conflict was conducted in practice, in order to consider the relationship between the two, and to pose broader questions about Norman dynastic discord in theory and in practice. How important were notions of family solidarity and family loyalty? What underlay these views? How strictly were these ideals applied to contemporary events and situations? What role, if any, did the values have in restraining conflict? How often did family conflict occur? Who was involved, what were the causes, how was it expressed and how was it ended? What was the impact of conflict? How comparable was conflict within the ducal family and within aristocratic families, and was such discord likely to overlap? What role did internal factors like inheritance custom, and

¹ *Henricus filius imperatoris, contra jus naturae et fas legum in patrem insurgens...*: RT, 1106. The couplet *jus naturae et fas legum* seems to convey the sanction of both morality and legality against filial usurpation.

external factors such as political change, play? These are the chief questions underlying the thesis, with the aim of offering a survey of kin conflict in Normandy during this period of just over a century, and drawing some conclusions about the nature of Norman political society, the role of land and succession, and the character of family and of family ties.

Why Normandy, and why this period? Normandy offers a reasonably-sized and well-contained area for study, sufficiently large and permeable to offer significant variation and flexibility in geographical character and social make-up, but not so great that the detail overwhelms analysis. Normandy was also well-endowed with religious houses, particularly after the early eleventh-century wave of foundations, which were crucial for the production and preservation of both narrative and documentary written records. Normandy in this period offers particularly interesting opportunities for historical insight. The duchy underwent a major realignment after 1066, as the conquest of England created a new cross-Channel realm. New wealth and opportunities flowed into the duchy, expanding Norman horizons as the duke became a king, the ducal inheritance became a royal inheritance, and the Normans became major players on the European stage.

The period of study, which spans just over a century, covers several generations of a family and so allows the practice of conflict to be traced through time. Where necessary the start and end dates are treated as porous, for instance following one dispute to its resolution in 1141. The time span has also been determined by consideration of the available sources. Before 1025, there is too little evidence for any real consideration of familial strife, while after 1135 there is almost too much, and the character of the evidence is changed, with Orderic Vitalis' *Ecclesiastical History* coming to an end in 1141. It is also more difficult after 1135, and particularly after 1154, to consider the history of Normandy independently from that of England and the other Angevin lands, as Normandy was enveloped by the greater Plantagenet empire.

Normandy is also recommended by its position at the cross-roads of British and French historiography. Normandy has attracted interest on both sides of the Channel, in France thanks to its eventual integration into the kingdom of France, and in Britain largely as a result of the Norman Conquest. Although these traditions of scholarships were quite

separate, within the last three decades increased effort has been made on both sides of the Channel to combine historiographical forces. Furthermore, this period is a crucial one in the development not only of Normandy, but also western Europe. As the medieval world expanded, populations swelled, urbanisation and commercialisation grew, political powerhouses emerged, new lands were colonised, the Church struggled to free itself from secular influence, new monastic movements appeared, the breadth and depth of learning spread and the cultural flowering known as the 'twelfth-century renaissance' came into bloom. Consequently, or perhaps causally, this period is a historiographical hot spot; for instance, the debate on the feudal revolution centres on the eleventh century, and, more pertinent here, the period is seen as crucial in the development of the medieval family (discussed below). Yet there has been no study of family conflict in Normandy c.1025-1135. There are therefore gaps in terms of work which has not been done, and (as discussed later) inadequacies in the few explorations undertaken to date.

Two restrictions of the topic need explaining. First, the thesis focuses explicitly on conflict between family members, rather than on broader family relations. There certainly is ample material for a study on the general nature of family in Normandy – its composition and structure, its role in society, its effect on the behaviour of individuals, the affective bonds between and within families – and such would be a welcome addition to the field. Although focusing exclusively on conflict, I do not deny that family could be a positive social force, its members often bound together in mutual and lifelong solidarity, support and affection. But the interest here is when things go wrong, what happened in those instances when apparently binding obligations and social mores were disregarded and kin turned against one another – which I shall show may not, in fact, have been so unusual.

Second, my definition of family has been intentionally narrow. I have focused principally on disputes between first-degree relatives – fathers, mothers, brothers, sisters, sons, daughters – and secondarily on uncles, aunts, nephews, nieces, and cousins. Occasionally I have considered more distant kin-members, but only when contemporary sources judge such disputes familial in nature. There are three main reasons for adopting this narrow definition of family. First, recorded disputes often focused on land, and concerns of patrimony usually centred on the narrow family, so

that is where conflict was most likely to be found. Second, historiography in recent decades has reverted to a more narrow view of family, a view with which I concur.² Perhaps more importantly, recent scholarship has also emphasised the flexibility of the medieval family, and demonstrated that the composition of kin groups differed according to the situation and perspective.³ Pierre Bauduin has convincingly extended these conclusions to Normandy using chronicle and charter evidence, and shown the primacy of the immediate (or in modern parlance, nuclear) family, and the use made by contemporary authors of the suppleness of family.⁴ Third, as others have observed, a very wide view of kinship finds nearly every member of the Norman elite related to each other in some way.⁵ On this basis, every quarrel within the Norman baronage would be familial, an analytically unhelpful perspective; adopting a narrower definition of family ensures the kin dimension of discord was identifiable and significant at the time.

Historiographical interest in familial discord has been growing recently. A volume of collected essays on *La parenté déchirée* (2010), published as part of a series entitled *Histoires de famille: la parenté au moyen âge*, itself evidence of a renewed interest in medieval kinship, represents the first sustained collective consideration of kin conflict.⁶ There are also a number of regional studies of dynastic conflict, centred on ruling

² J. C. Holt, 'Feudal society and the family in early medieval England, III: patronage and politics', *TRHS* 5th ser. 34 (1984), 1-25, at 14-5, and J. Martindale, 'Succession and politics in the Romance-speaking world, c. 1000-1140', in M. Jones and M. Vale, eds, *England and her Neighbours, 1066-1453: Essays in Honour of Pierre Chaplais* (London, 1989), pp. 19-41, at p. 27, on the narrow inheriting core of family; P. Stafford, 'Sons and mothers: family politics in the early Middle Ages', in D. Baker, ed., *Medieval Women* (Oxford, 1978), pp. 79-100, and P. Sawyer, 'The bloodfeud in fact and fiction', *Acta Jutlandica* 63 (1987), 27-38, use the narrower definition of family to construct specific arguments.

³ See particularly S. D. White, *Custom, Kinship and Gifts to Saints: the Laudatio Parentum in Western France, 1050-1150*, especially pp. 127-8, and P. Stafford, 'La mutation familiale: a suitable case for caution', in J. Hill and M. Swan, eds, *The Community, the Family and the Saint: Patterns of Power in Early Medieval Europe* (Turnhout, 1998), pp. 103-125.

⁴ P. Bauduin, 'Désigner les parents: le champ de la parenté dans l'oeuvre des premiers chroniques normands', *ANS* 24 (2002), 71-84; P. Bauduin, 'La parentèle de Guillaume le Conquérant: l'aperçu des sources diplomatiques', in P. Bouet and V. Gazeau, eds, *La Normandie et l'Angleterre au moyen âge* (Caen, 2003), pp. 23-37.

⁵ Holt, 'Patronage and politics', and J. A. Green, 'Family matters: family and the formation of the Empress' party in south-west England' in K. S. B. Keats-Rohan, ed., *Family Trees and the Roots of Politics: the Prosopography of Britain and France from the Tenth to the Twelfth Century* (Woodbridge, 1997), pp. 147-164, at p. 147.

⁶ M. Aurell, ed., *La parenté déchirée: les luttes intrafamiliales au moyen âge* (Turnhout, 2010), and see also M. Aurell, ed., *Le médiéviste et la monographie familiale: sources, méthodes et problématiques* (Turnhout, 2004).

families.⁷ Interest in kin discord is not new, but the focus has become more clearly delineated in recent times. Sidney Painter's 1960 essay considering the role and importance of family in relation to the feudal system asked a number of questions pertinent to dynastic strife, as did J. C. Holt's four-part lecture series of the early 1980s, 'Feudal society and the family in early medieval England.'⁸ In combination with his earlier study of the relationship between politics and property, Holt's addresses, which were chronologically and geographically wider-ranging than the title suggests, explored several themes and ideas central to family conflict.⁹ Some studies of family ties in Norman England can also be of comparative use.¹⁰

Considerations of family conflict in Normandy have often been a brief part of a broader study or arisen within an examination of a related issue; the historiography is patchy. In his important monograph, *Normandy before 1066* (1982), David Bates saw ducal family strife within the broader framework of contemporary French politics, in keeping with his overarching view of a very Frankish Normandy. George Garnett's 1994 essay on ducal succession offered a subtle insight into the internal politics and dynamics of the ruling family, while in a 2006 case study, Mark Hagger advanced a view of an expedient and pragmatic Norman kinship.¹¹ The exception to the generally meagre picture is Eleanor Searle's 1988 monograph, which offers the only focused consideration of the role of family in Norman political society. Maintaining the strength

⁷ Stafford, 'Sons and mothers'; B. S. Bachrach, 'Henry II and the Angevin tradition of family hostility', *Albion* 16 (1984), 111-30; M. Aurell, 'Révolte nobiliaire et lutte dynastique dans l'empire angevin (1154-1224)', *ANS* 24 (2002), 25-42. While not focusing specifically on conflict, the following two monographs are also useful studies of family and politics: A. W. Lewis, *Royal Succession in Capetian France: Studies on Familial Order and the State* (Cambridge, MA, 1981); J. Drell, *Kinship and Conquest: Family Strategies in the Principality of Salerno during the Norman Period, 1077-1194* (Ithaca, 2002).

⁸ S. Painter, 'The family and the feudal system in twelfth-century England', *Speculum* 35 (1960), 1-16.

⁹ J. C. Holt, 'Feudal society and the family in early medieval England', I-IV, *TRHS* 5th ser. 32-5 (1982-85); J. C. Holt, 'Politics and property in early medieval England', *P&P* 57 (1972), 3-52.

¹⁰ Green, 'Family matters', and J. A. Green, *The Aristocracy of Norman England* (Cambridge, 1997), chapter ten.

¹¹ Bates, *Normandy*, and echoed in D. Bates, 'The rise and fall of Normandy, c. 911-1204', in D. Bates and A. Curry, eds, *England and Normandy in the Middle Ages* (London, 1994), pp. 19-35, at pp. 27-8; G. S. Garnett, "'Ducal succession" in early Normandy', in Garnett and Hudson, pp. 80-110; M. S. Hagger, 'Kinship and identity in eleventh-century Normandy: the case of Hugh de Grandmesnil, c. 1040-1098', *JMH* 32 (2006), 212-30, and similar themes emerge in his earlier monograph, M. S. Hagger, *The Fortunes of a Norman Family: the de Verduns in England, Ireland and Wales, 1066-1316* (Dublin, 2001). Two recent doctoral theses also touch on pertinent themes: J. Bickford Smith, *Orderic Vitalis and Norman Society: c. 1035-1087* (unpublished PhD thesis, University of Oxford, 2006), and T. Roche, *Conflits et conventions dans la société anglo-normande (1066-1166)* (unpublished PhD thesis, Ecole Pratique des Hautes Etudes, Paris, 2006).

of Normandy's Scandinavian character and advocating a major rupture with the Carolingian past, Searle places kinship at the centre of her argument, proposing that the dukes built up the Norman state and facilitated its expansion by binding the entire Norman aristocracy, a highly cohesive warrior kin-group, to ducal power through ties of kinship. Although an interesting argument, a number of aspects of this work limit its relevance here.¹² Searle's study has most to offer on the tenth century, and is of questionable validity for my period. Searle employs a very wide definition of family, giving equal weight to kinship bonds near and far, an approach to family substantially different from my narrower and more conflict-focused view. Furthermore, she unquestioningly equates kinship with unswerving support and solidarity, barely acknowledging the potential for conflicting interests within family groups. These assumptions overemphasise the significance and inviolability of both interfamilial and intrafamilial ties, and the heavy focus on kinship precludes consideration of other possible factors.

The relative lack of focus within Norman historiography on family conflict therefore necessitates consideration of three broader historiographical strands relevant to this topic: notions of family, in terms of size, structure, identity, ties and development; the framework of landholding and inheritance and its relationship to hereditary concerns; and the problems and practice of dynastic politics.

The study of the family in history has substantial precedent.¹³ The late nineteenth- and early twentieth-century work of Emile Durkheim shaped the thinking of Marc Bloch, expressed in his magnum opus *Feudal Society* (1939), whose ideas on the family in relation to feudal society were adopted and adapted by Georges Duby, particularly in his later works (1970s onwards). Duby also drew on German prosopographical research of the 1950s led by Karl Schmid, which had made a major study of kinship structure in the early to high middle ages from the evidence of *libri memoriales*.¹⁴ Thus emerged the

¹² E. Searle, *Predatory Kinship and the Creation of Norman Power, 840-1066* (Berkeley, 1988). See the review by David Bates, in *Speculum* 65 (1990), 1045-7, for a full consideration of the work's problems.

¹³ For a more detailed overview which space precludes here, D. Crouch, *The Birth of Nobility: Constructing Aristocracy in England and France, 900-1300* (New York, 2005), chapter four, and see also White, *Custom*, chapter six.

¹⁴ M. Bloch, *Feudal Society*, tr. L. A. Manyon (London, 1961); G. Duby, *La société aux XI^e et XII^e siècles dans la région mâconnaise* (Paris, 1953), and G. Duby, *The Chivalrous Society*, tr. C. Postan (London, 1977), particularly chapter nine, 'The structure of kinship and nobility'; K. Schmid, 'The structure of the

thesis which dominated historiographical thinking on the medieval family for years, known variously as the Schmid-Duby thesis, progressive nuclearisation, *sippe* to *geschlecht*, and the *mutation familiale*. As its multilingual monikers suggest, this posits a contraction of family size and a tightening of family structure – specifically, an eleventh-century shift from a wide, horizontal and inclusive kin-group, in which agnatic and cognatic elements were equally weighted, to a narrow, vertical and exclusive family unit, dominated by patrilineage and primogeniture. And as the identity of its architects suggests, the idea of the *mutation familiale* became an integral part of the feudal revolution thesis, which argued that social structures in Francia underwent a series of abrupt changes around the year 1000, stemming from political developments and leading to the emergence of ‘feudal society.’¹⁵ The supposed transformation in family structure and concomitant growth in lineal consciousness was a central tenet of the feudal revolution paradigm. The *mutation familiale* was also extended to explain other contemporary phenomena, such as the emergence of the crusade movement, linked to the excess of noble but landless youths in Frankish society, those younger brothers and sons surplus to requirements in a system of primogeniture. Duby also introduced the idea that the fluctuation in family structure was related to the strength of central authority, so that when political authority was weak, the family expanded for protection and solidarity in the volatile and dangerous world, but when strong, the family contracted as its shelter was less necessary in a stable and peaceful society, and the individual predominated over the group. Although he later departed from this idea, it has nevertheless proven influential.¹⁶

Progressive nuclearisation, sometimes tempered by this cyclical principle of family structure and strength dependent upon political authority, therefore seemed ‘an unchallenged and unchallengeable socio-historical orthodoxy, in Britain and America as

nobility in the earlier middle ages’, in T. Reuter, ed. and tr., *The Medieval Nobility: Studies on the Ruling Classes of France and Germany from the Sixth to the Twelfth Century* (Amsterdam, 1978), pp. 37-59.

¹⁵ Following in the footsteps of Bloch (though proposing a slightly different timescale), Duby’s 1953 study of the Mâconnais really launched the paradigm of the feudal transformation (though, note, Duby’s use of vocabulary was careful, and it was only later that terms such as ‘revolution’ and ‘mutation’ were regularly applied to the process). A series of similar French regional studies in the 1960s and 1970s replicated Duby’s findings and further buttressed the theory, and in the 1980s and early 1990s, the paradigm was extended from local society to the upper ranks of social and political organisation and contemporary mentalities as a whole.

¹⁶ For instance, R. Hajdu, ‘Family and feudal ties in Poitou 1100-1300’, *Journal of Interdisciplinary History* 8, 117-39, and see particularly the discussion at White, *Custom*, pp. 180-9.

much as in France.¹⁷ But since the 1990s, the feudal revolution paradigm has been steadily but surely dismantled, principally by Dominique Barthélemy, and also by Stephen White. As one of the model's central pillars, the *mutation familiale* has come under attack. As early as 1968, Karl Leyser had questioned the use of *libri memoriales* as evidence of family identity, and Stephen White's 1988 study of the *laudatio parentum* in western France indirectly challenged the status quo of the *sippe-geschlecht* thesis.¹⁸ Constance Bouchard brought together the respective focuses of Barthélemy and White to offer a sustained challenge to the *mutation familiale*. Promoting continuity over change, and drawing on the notion of *mutation documentaire*, Bouchard has argued that a narrow, patrilineal family structure had in fact long been favoured, but only became visible by the eleventh century due to increasing stability and better documentation.¹⁹

The notion of an early to high medieval shift from kin clans to linear dynasties is therefore no longer the dominant model, and the emphasis is firmly on the variability, fluidity and cyclicity of family structures; it is recognised that the configuration of kin groups changed depending on the context, and that the 'practical' kin group – i.e. the core of the family, important for matters of land and inheritance – could be quite narrow.²⁰ Family is increasingly being located in the broader setting of medieval society and politics. Gerd Althoff's 1990 monograph, written within the German historiographical tradition but undoubtedly of wider relevance, compared kinship bonds to those of lordship and friendship, and focused attention on how bonds could give rise

¹⁷ Crouch, *Nobility*, p. 108.

¹⁸ K. J. Leyser, 'The German aristocracy from the ninth to the early twelfth century: a historical and cultural sketch', *P&P* 41 (1968), 25-53, and subsequent debate: D. A. Bullough, 'Early medieval social groupings: the terminology of kinship', *P&P* 45 (1969), 3-18; K. J. Leyser, 'Maternal kin in early medieval Germany: a reply', *P&P* 49 (1970), 126-34.

¹⁹ See Bouchard's 2001 essay collection, which includes work from 1979 onwards: C. B. Bouchard, *Those of My Blood': Constructing Noble Families in Medieval Francia* (Philadelphia, 2001); particularly important is chapter four, 'Family structure and family consciousness in the ninth through eleventh centuries.' D. Barthélemy, *The Serf, the Knight and the Historian*, tr. G. R. Edwards (Cornell, 2009).

²⁰ See above, n. 2 and n. 3; note also that Leyser, 'German aristocracy', had suggested different structures and perceptions of family according to a social or economic context, and in his 'Maternal kin', pointed out that the fluidity of medieval kinship makes the precise use of vocabulary impossible; see also J. Goody, *The Development of the Family and Marriage in Europe* (Cambridge, 1983), pp. 118-23. See Drell, *Kinship and Conquest*, and A. Livingstone, *Out of Love for My Kin: Aristocratic Family Life in the Lands of the Loire, 1000-1200* (Ithaca, 2010), for two recent works making use of the model of the flexible family in their arguments, the former rather more successfully than the latter.

to strife as well as to strength and unity.²¹ Aristocratic society, particularly in British historiography, is increasingly being seen as ‘an overlapping network of diverse communities – local, tenurial and informal – comprehensible to itself, however hard it is for modern historians to penetrate its complexity.’²² Family is one of the elements to be considered from this angle, as historians increasingly look to individuals, events and processes from which to reconstruct the layers of aristocratic society and build the bigger picture, rather than relying upon top-down, ‘state’ or constitutional history.²³

The close correlation between concerns of family and concerns of land requires consideration of legal historiography – by which I here mean history focused on land, its tenure and its inheritance – as another underlying strand of this thesis. Traditionally, treatment of family has been separate from mainstream historiography, and virtually absent from constitutional history, although a British tradition of local history and regional studies is shown by the work of J. H. Round and his protégé, Frank Stenton.²⁴ Later, family interest in land was considered in relation to seigneurial interest in land, so, crudely put, family and heritability was seen as the antithesis of lordship and alienability.²⁵ It was only with Holt’s work, particularly ‘Politics and property’ and ‘Feudal society and the family’, that ideas of family were really synthesised with scholarship on property and inheritance. Much like Duby in France (indeed drawing heavily on French historiography and particularly Duby), Holt broke down the barriers between the social history of the family, and political and legal history, opening his first lecture by observing the contradiction of historians’ assumption of binding kinship obligations with their acceptance of major political conflict within ruling families.²⁶ George Garnett, a student of Holt, has since considered similar themes to those of

²¹ G. Althoff, *Family, Friends and Followers: Political and Social Bonds in Medieval Europe*, tr. C. Carroll, (Cambridge, 2004).

²² Crouch, *Nobility*, p. 186.

²³ Green, *Aristocracy*; D. Crouch, *The Beaumont Twins: the Roots and Branches of Power in the Twelfth Century* (Cambridge, 1986); Hagger, *Verduns*; Power, *Frontier*. For a recent historiographical assessment, see K. Thompson, ‘Family history and the study of the Anglo-Norman aristocracy’, in Aurell, *La monographie familiale*, pp. 23-35.

²⁴ F. Stenton, *The First Century of English Feudalism 1066-1166* (2nd ed.; Oxford, 1961).

²⁵ S. E. Thorne, ‘English feudalism and estates in land’, *Cambridge Law Journal* 17 (1959), 193-209; S. F. C. Milsom, ‘Inheritance by women in the twelfth and early thirteenth centuries’, in M. S. Arnold, T. A. Green, S. A. Scully, and S. D. White, eds, *On the Laws and Customs of England: Essays in Honor of Samuel E. Thorne* (Chapel Hill, 1981), pp. 60-89.

²⁶ J. C. Holt, ‘Feudal society and the family in early medieval England, I: the revolution of 1066’, *TRHS* 5th ser. 32 (1982), 193-212, at 193-4; on Duby’s dissolution of the ‘arbitrary’ divisions in French historiography, see White, *Custom*, p. 188.

‘Feudal society and the family’ (though reaching different conclusions), and concerns of family in relation to land tenure and inheritance are now more commonly represented in legally-focused historical works.²⁷

The relevance of political historiography to a consideration of family conflict is clear, since politics at the highest level was often based on dynastic dynamics, both within the ruling family itself and in terms of aristocratic exploitation of any tension between ruler and his kin. Although political studies recognise this, there is seldom a sustained focus on the role and ties of family in politics. Karl Leyser’s 1979 monograph on the nature and workings of Ottonian rule, focusing particularly on kingship and aristocratic conflict in Saxony, is important for its consideration of family politics. He sees kinship as an inherently cohesive force underpinning rule; even conflict within the royal family reinforced the dynasty’s prestige and right to the throne.²⁸ A number of Leyser’s themes – the importance of royal cadets to internal opposition, aristocratic exploitation of disputes within the ruling family, and the impact of succession practices on conflict – have been influential, and are also important in this thesis. The historiographical focus on politics and property is deliberately advanced in an important article by Jane Martindale (1989) which sets internal Anglo-Norman strife at the heart of a consideration of succession and politics in the wider European world, arguing for a direct link between ‘inheritance methods and the maintenance of political and social order.’ Recognising that political authority was closely tied to notions of heredity and norms of succession, Martindale considers how different modes of family organisation and inheritance affected the potential for conflict, concluding that most dynasties were ‘still attempting to evolve methods of inheritance that would also allow peaceful succession, the unquestioned transmission of property from one generation to the next, and undisturbed transfer of political authority.’²⁹ Since Martindale, other studies, mostly convincingly, have also used family and hereditary concerns to illuminate political rule, succession and conflict.³⁰ This has been a growing trend in Anglo-Norman history, notably in David Crouch’s 1986 illustration of the workings of political and aristocratic society via a case study of the Beaumont twins, which sensibly views the alliances and

²⁷ See particularly Garnett, ‘“Ducal” succession’; also G. S. Garnett, *Conquered England: Kingship, Succession and Tenure 1066-1166* (Oxford, 2007), especially part three.

²⁸ K. J. Leyser, *Rule and Conflict in an Early Medieval Society: Ottonian Saxony* (London, 1979).

²⁹ Martindale, ‘Succession’, pp. 20, 40.

³⁰ See above, n. 7; a number of essays in Aurell, *La parenté déchirée*, focus on family politics and conflict.

conflicts of family politics as just one element of aristocratic power, and the work of Kathleen Thompson, reconstructing the political role of families and family members.³¹

Emily Tabuteau's 1988 study, *Transfers of Property in Eleventh-Century Norman Law*, based on a comprehensive and detailed analysis of eleventh-century charter material, is the one full-length work which begins to bring together the strands of interest here. Rejecting the application of later customary evidence to the eleventh century, relying instead on strictly contemporary material, the work aims to reconstruct 'a "très très ancien coutumier"' in order to demonstrate the form and development of Norman custom by 1100 and its status as 'a consciously perceived legal system.'³² In doing so, Tabuteau also ponders broader historiographical questions, querying the perceived 'feudal world' of late eleventh-century Normandy, downgrading the supposed English contamination of the Norman legal system in the forty years after 1066, and emphasising the wider Frankish tradition within which Norman law evolved. Although Tabuteau considered the interrelationships of family, property and inheritance, she did not look at the political dimension of family or the operation of dynastic politics at the highest level. The interests in *Transfers of Property* were fundamentally legal rather than familial, focusing on the tenure and transmission of land, but her work certainly contributes to a combined consideration of property and politics alongside family.

Among primary sources, I have deliberately favoured Norman sources from within the period, and only occasionally used Anglo-Norman or English material, while seeking to combine the familiar Norman narrative material with significant charter research.

The narrative evidence for Normandy is well known. Dudo of Saint-Quentin's panegyric, completed around 1015 and known today as *De moribus et actis primorum Normanniae Ducum*, written at the prompting of Duke Richard II, drew on oral tradition to weave together the story of the rise of the ducal dynasty. Its trustworthiness has been

³¹ Crouch, *Twins*; K. Thompson, 'Family and influence to the south of Normandy in the eleventh century: the lordship of Bellême', *JMH* 9 (1985), 215-26; K. Thompson, 'The lords of Laigle: ambition and insecurity on the borders of Normandy', *ANS* 18 (1995), 177-99; K. Thompson, 'Affairs of state: the illegitimate children of Henry I', *JMH* 29 (2003), 129-51; K. Thompson, 'L'héritier et le remplaçant: le rôle du frère puîné dans la politique anglo-normande (1066-1204)', in Gazeau and Green, pp. 93-100; K. Thompson, 'Being the ducal sister: the role of Adelaide of Aumale', in Crouch and Thompson, pp. 61-76. See also J. A. Green, 'Duchesses of Normandy in the eleventh and twelfth centuries', in Crouch and Thompson, pp. 43-59.

³² Tabuteau, *Transfers*; citations, p. 2.

questioned, but it is invaluable because it is one of the few sources on early Normandy and conveys a particularly vivid sense of the duchy. It also formed the basis for William of Jumièges' *Gesta Normannorum Ducum*, first composed in the 1050s and subsequently extended to c. 1070. Ducal involvement in the genesis of the text was probably less marked than in Dudo's work, but it was almost certainly at the Conqueror's request that the chronicle was later extended to cover the events of 1066, and, if not quite an official biography of the ducal dynasty, the *Gesta* certainly presented Norman interests and concerns from a ducal perspective. This was particularly the case when Orderic Vitalis, monk of Saint-Evroul, and later Robert of Torigni, monk of Bec, came to revise and update the text, c. 1109 to 1113 and in the late 1130s respectively, Torigni bringing the narrative up to 1135. William of Poitiers' stylised and classicised *Gesta Guillelmi*, written from 1071 to 1077 as an encomium on Duke William II (to whom Poitiers was personal chaplain), is known as a goldmine for 1066, but also contains narrative and commentary on the earlier parts of the Conqueror's reign. But it is Orderic Vitalis' *Historia Ecclesiastica*, written piecemeal between c. 1114 and 1141 as a monastic project before Orderic's interests ran away with him, which offers the deepest well of information. The dependence of so much Anglo-Norman history on one work alone, even such an ample, detailed and wide-ranging work, is of course not ideal. However, with an awareness of the bigger picture of the *Historia Ecclesiastica*, the work can provide rich insight into familial concerns, from its basic narrative and from Orderic's own interpretation and assessment. Finally, Robert of Torigni's own chronicle, written from the 1150s and based on an earlier world chronicle, provides a more annalistic account of the events of Henry I's reign, from a slightly later perspective than his *Gesta* interpolations.

Normandy abounds in charter evidence, although much remains largely unexploited in the rich Norman and Parisian archives.³³ Charters begin surviving in greater numbers from the second quarter of the eleventh century, linked to the wave of monastic foundations from c. 1030. Norman charters of this period are of ecclesiastical provenance, which, along with the related issue of the charters' drafting by the beneficiaries, and the low rates of documented transactions between laymen, poses difficulties. However, the form of the documents can mitigate these shortcomings.

³³ For a more detailed summary of Norman charter evidence, see Tabuteau, *Transfers*, pp. 9-13; at chapter five I discuss the charter evidence in relation to familial disputes.

Although practice between scriptoria differed, the acts strike a helpful balance between being overly formulaic, staid, uninformative documents, and descending into complete linguistic disorder that obscures the order of events and engulfs the historian in random and often unhelpful detail. The acts vary; some are terse and taciturn, others are lengthy and loquacious. This balance – broad adherence to some patterns and formulae, with enough fluidity to allow for and encourage the inclusion of insightful detail and points of interest – gives rise to documents well suited to both quantitative and qualitative approaches.

The preservation of eleventh- and early-twelfth century charters in Normandy has not been straightforward. Their predominantly ecclesiastical composition and conservation shaped what was recorded and retained over the years. It was only worth preserving acts relating to land still under the control of the religious house, or to current and on-going arrangements, so documents relating to lost lands or detailing expired temporary agreements were not kept. This practical approach to record-keeping is illustrated by the comments of one thirteenth-century rubricator as he grew increasingly irritated with the lack of selectivity shown by the cartulary copyist, and he noted above one act that ‘this ought not to be rubricated, because it brings nothing to the monastery of Préaux.’³⁴ The majority of the extant documents survive in later cartulary copies rather than as originals. The earliest Norman cartularies date from the late eleventh century, but most are later, produced in the thirteenth to fifteenth centuries. These collections tended not to preserve early documents, or often included only pared-down versions. Similarly, detail may well be missing from those documents that were incorporated into *pancartes*, which usually only summarised the original act. Furthermore, the lot of Norman archives in modern times has not been a happy one. Much was lost in 1944; for instance, the cartulary of Saint-Sauveur-le-Vicomte survives only as a nineteenth-century copy, the thirteenth-century original being among the many documents destroyed at Saint-Lô during the Battle of Normandy. Despite the inevitable losses in both medieval and modern times, the corpus of Norman charter evidence remains richer in quantity and quality than is often appreciated, since only a fraction of the material has been published.

³⁴ *Non debet rubricari quia nichil confert coenobio Pratellensi*: ADE, H 711, fos 39v-40r; Préaux, B2. See D. Crouch, ‘A Norman *conventio* and bonds of lordship in the middle ages’, in Garnett and Hudson, pp. 299-324, at p. 299.

My use of charters has centred on evidence relating explicitly to conflict. I have not attempted to create a broader picture of family by examining patterns of consent, countergifts, or *pro anima* clauses, since such a survey would reveal little about family strife. Nor has an analysis of familial witnessing patterns proved fruitful. Similarly, the corpus of ducal charters as a whole can shed little light on the questions at hand. A survey of the documentary appearances of members of the ducal family revealed few patterns of interest. Furthermore, documentary survival is too patchy and the field of ducal kin-members too limited (and often dominated by a few, prominent individuals, such as Bishop Odo and Robert of Gloucester) to yield reliable data. Instead, the focus has been on both published and manuscript charters and cartularies of religious houses across Normandy and the evidence they provide of dynastic conflict, whether a piece of incidental information or an anecdote, a formal challenge to a relative's monastic grant, or a kin dispute played out in a secular or monastic court.

As well as the ducal and, after 1066, royal charter collections of the ruling Norman dynasty, I have worked on the published monastic cartularies of Jumièges, Mont-Saint-Michel, Préaux, Saint-Etienne de Caen, Saint-Wandrille, Le Tréport, La Trinité de Caen and La Trinité du Mont, and the ecclesiastical cartulary of the cathedral chapter of Bayeux. I have made substantial use of manuscript charter evidence, studying full cartularies from the houses of Cérisy-la-Forêt, Fécamp, Montebourg, Mortemer, Préaux, Saint-Amand de Rouen, Saint-Etienne de Caen, Saint-Evroul, Saint-Martin de Sées, Saint-Ouen de Rouen, Saint-Sauveur-le-Vicomte, Saint-Taurin d'Evreux, La Trinité de Caen and Troarn. I have also explored other collections: the late eleventh-century charter roll of Saint-Evroul, the pancarte of Mortemer abbey, the thirteenth-century cartulary of the counts of Eu, and fragmentary cartularies and documents from the abbeys of Bec, Conches, Foucarmont, Lessay, Lonlay, Lyre, Saint-Désir de Lisieux and Troarn.³⁵

I have occasionally used other types of primary sources – literature, hagiography, letters, legal collections – where relevant, but the main use of such evidence has been to assess the prevalence and strength of contemporary views and mentalities, in

³⁵ See bibliography for full references.

conjunction with the chronicle and charter evidence. I have therefore used evidence from outside Normandy or the period of study more freely, given that the rationale behind such source use has been to illustrate the bigger picture.

Several themes run through the thesis. I argue that the apparent dichotomy between ideal and reality of family conflict is not as straightforward as a theoretical adherence to concord but a practical tendency to discord. There was more than one way of conceiving kin relations and conflict. The potential for dynastic disputes was recognised by contemporaries and reflected by the varied manner in which family conflict was treated by the sources. Indeed, the fact that the approach to kin discord was so flexible belies the esteem in which idealised notions of family were apparently held.

In terms of the practice of dynastic conflict, there are several key arguments. Conflict was relatively regular, and was not extraordinary; the interaction between family disputes with wider disorder, and the strategic use of kin discord by other parties shows that it was open to pragmatic exploitation. Any stigma attached to familial rivalry was clearly insufficient to prevent its occurrence and wider use and abuse. The apparent normality of familial disputes suggests that self-interest and pragmatism often predominated; the expedient, even expendable, approach to family, its bonds and obligations, is seen in the sometime justification of kin violence as necessary. Where dynastic conflict was set apart, whether in terms of perception or practice, the distinguishing feature was often its general civil nature, rather than the direct familial element. The major concern was that strife internal to the country left it vulnerable to attack, diverted resources away from foreign endeavours, and replicated divisions between lords and vassals, kinsmen, and friends throughout society.

The central function of the dynasty was to transmit land and wealth from generation to generation, so family disputes very often focused on land, tenure and succession. This was as true for the ducal family as for aristocratic families. Customs of land tenure and inheritance therefore affected the likelihood of conflict: the variability of landholding modes within family groups, and particularly the fluidity of inheritance, facilitated and even provoked conflict. The conquest of England in 1066 raised questions about how the Anglo-Norman realm as a whole and the new aristocratic cross-Channel estates should be held and managed, and how the realm and its constituent lands should be

passed on. This had a significant impact on family conflict, since the major dynastic concerns – land, its division and transmission – were fundamentally affected.

These themes and arguments underpin the five chapters. Chapter one considers contemporary perceptions of family and conflict in the surviving sources, focusing on the basic interpretative framework within which strife was considered, and the application of these assumptions to episodes of conflict, concluding with a case study of the representation of the battle of Tinchebray in 1106. The focus of chapters two and three is conflict within the ducal family, a case anomalous in that the family stood at the pinnacle of Norman politics but about which there is the most evidence. Chapter two considers how claim to succession and rule and the balance of power and resources within the ducal family combined to give rise to internal challenges to the duke. Chapter three ponders the place of ducal dynastic conflict in Norman political society, considering its potential difference from other forms of discord, the extent to which it was embedded in the political world, and its impact. Chapter four concentrates on family conflict within the aristocratic ranks, echoing the previous two chapters as it explores the emergence and then the role of disputes; the occurrence of internal aristocratic strife is also considered alongside disorder at the ducal level. The aristocratic and knightly focus is continued in chapter five, which rounds off the study by considering family disputes over patronage of the Church. Based on charter evidence, the chapter explores perceptions of familial patronage, the occurrence of quarrels over land-grants, and how such challenges and the pragmatic interests underlying them reveal a greater concern with individual interest than family solidarity.

In one of his more pragmatic takes on local secular society, Orderic Vitalis casually remarked of one familial clash that, ‘the two men were kinsmen, and for this reason quarrelled about the properties of their ancestors.’³⁶ While the picture is more complex than Orderic’s pithy appraisal suggests, it is the aim of the thesis to demonstrate that the underlying sentiment ultimately rings true.

³⁶ Orderic, VI, 396-7.

Chapter One

Representations of family and conflict

Dynastic conflict was broadly condemned in eleventh- and early twelfth-century Normandy. To take up arms against a family member was to violate the natural order and to breach human and divine law. This is clear from even a brief consideration of the evidence. William of Poitiers decried the ‘wickedness’ of Guy of Burgundy after he had plotted against his brother, and rebelled against his cousin, while to Orderic, the battle of Tinchebray was a ‘terrible disaster.’¹ Confirmation is offered by historians from outside Normandy. The Hyde chronicler refers to the 1101 conflict between Curthose and Henry as ‘foul discord’, and warns against a ‘wicked, fratricidal and more than civil war’.² The generally sedate John of Worcester exclaims of the 1088 uprising against William Rufus, ‘This was war, a cursed affair, and what was worse a civil war! Fathers fought against sons, brothers against brothers, friends and their kinsmen, strangers against strangers.’³ This denunciation of familial discord was based upon the contemporary assumption of mutual support and affection between kin-members; any departure from this norm represented a disturbing deviation from religiously, morally and socially correct behaviour.

This chapter considers representations of family and particularly family conflict in a range of contemporary sources, in order to examine and analyse these axioms and their application to episodes of dynastic strife. Norman chronicle sources provide much of the material, particularly Orderic: the breadth and depth of the *Ecclesiastical History* is unrivalled. However, Dudo, William of Poitiers, William of Jumièges, and Robert of Torigni offer a valuable control, supported by other Anglo-Norman historical writings. Evidence from other sources reinforces the strength and pervasiveness of the Norman historians’ views on family and conflict, to which literary (both fictional and non-fictional), intellectual, epistolary, hagiographical and charter sources all contribute.

¹ GG, 12-3; Orderic, VI, 86-7.

² *Liber monasterii de Hyda*, ed. E. Edwards (London, 1866), p. 306. I am grateful to Elisabeth van Houts for providing me with a copy of her forthcoming translation, which I have used to assist my own translations.

³ JW, 48-9.

One fundamental problem is the difficulty of reaching lay views of family and conflict. All of the sources are of an ecclesiastical provenance, whether a monastic chronicle, a beneficiary-produced charter, or an episcopal letter. Even literature, the source of the most vivid evocations of lay society, emanates from the ecclesiastic's pen, since the likes of Serlo of Bayeux, the author of the *Song of Roland*, and Wace were all clerics. This is a drawback. The suitability of ecclesiastics, particularly monks, to comment on secular family relations is questionable, given that the monastic vocation theoretically required rejection of all worldly interests, including the severance of all kinship bonds. However, this apparent obstacle is diminished by a number of factors. First, and most importantly, the division between ecclesiastic and secular at this time was neither sharply delineated nor impermeable, particularly with the tenets of the Gregorian Reform not yet securely established, and Cistercianism (with its encouragement of a far stricter partition between the two spheres) at an embryonic stage. A number of Norman historians were involved in secular society at the highest level: to give two examples, William of Poitiers was the Conqueror's chaplain, and Robert of Torigni was prior and then abbot respectively at two of the most prestigious abbeys in Normandy. Even a Benedictine monk of a modest abbey in the rural Ouche region was not insulated from lay society. Monks could travel, and Orderic himself undertook several journeys in northern France and at least one voyage to England. Furthermore, Saint-Evroul itself, as with any decent-sized Norman house, could be a hive of lay activity, with local people, pilgrims, donors, kinsmen and even the occasional duke passing through the monastic doors. The worldly views and experiences of *conversi* monks with whom Orderic shared his vocation, the knightly sources of his reports of worldly happenings, and his own exposure to lay society outside the abbey must have influenced his writings, and Chibnall has convincingly argued that the *Ecclesiastical History* represents a blending of secular and ecclesiastical culture.⁴

Second, churchmen's opinions, as the custodians of lay observance of kin loyalty, were in fact valued and sought, for instance in the attempted mediation of Vitalis de Savigny before the battle of Tinchebray. Third, occasional snippets of worldly mentalities do appear in ecclesiastical sources, perhaps an utterance of a layman in a charter, or a

⁴ M. Chibnall, *The World of Orderic Vitalis* (Oxford, 1984), pp. 209-16; on the permeability of the monastic enclosure, see L. V. Hicks, *Religious Life in Normandy, 1050-1300: Space, Gender and Social Pressure* (Woodbridge, 2007), particularly chapters two and three, and see chapter four for the convincing argument of the impossibility of the total monastic renunciation of family ties.

report of a lay rationale or assessment by a chronicler present at the event. And fourth, most genres of writing did aim for a degree of verisimilitude. A chronicle, whether written for the record of the future, the edification of the present, or the legitimisation of the past, must ring true to be convincing; while a charter, to be useful, must narrate a believable transaction with any included detail plausible. Ecclesiastical letters, admonishing or advising their lay recipients, necessarily employed arguments drawing on accepted norms that the writers deemed persuasive, to be effective. If even Orderic's chronicle, at first glance probably the most monastically-infused Norman history, displays significant lay influence, then the division was clearly not so black-and-white, and the ecclesiastical provenance of the source material is not the unmitigated drawback it first appears.

The present chapter is divided into three parts. The first section shows that lauding family harmony and castigating family conflict provided the basic perspective for familial representation, by an examination of these views in action, the influences on these depictions, and their pervasiveness. The second section considers in more detail the application of these axioms, and shows that representation of dynastic conflict could be inconsistent and highly context-dependent, particularly when the treatment of family disputes was subordinated to other concerns. The key focus which emerges from chroniclers' treatment of kin strife, particularly within the ducal household, is the impact of the conflict and the destruction brought to the Norman people and Church by the internal discord. To demonstrate the contradictory forces at work in the representation of family strife, the final part of the chapter is a case study on the interpretation of Tinchebray. It emerges that dynastic conflict was sometimes seen as necessary, even unavoidable, for the common good, thereby undermining the apparently strong, uniform condemnation of family discord which arises from a superficial reading of the evidence.

The framework for representations of family and conflict

The contemporary approach to dynastic conflict, based upon praise of familial harmony and censure of familial discord, is shown by the use of kin-based topoi and imagery; the extension of the vocabulary of kinship to non-biological kinship; and chroniclers' assessments of kin concord and kin discord in practice.

The assumption of mutual kin support underpins topoi and throwaway comments. Throughout the *Ecclesiastical History*, a man is described as ‘supported by his friends and kinsmen’, sometimes particular kinsmen: Hugh de Grandmesnil relies on ‘the support of his sons, sons-in-law, and many friends’, while Ranulf of Chester secured the backing of his father-in-law and ‘other friends and kinsmen.’⁵ This notion can be reversed, to indicate extremity of action: describing the devotion of Clito’s supporters, Orderic claims that many were ‘prepared to leave their native land and their lords and kinsmen and friends’ for his sake.⁶ Other incidental references to kinship bonds underline their strength: oaths are sworn on parents’ souls, while Duke William II made a good marital match for his eldest son since, as a ‘dutiful parent’ he wished to ‘make the best provision for the future of his children.’⁷ Conversely, the construct of kinship is used to praise deeds unbiased by such ties. Orderic lauds Henry’s commitment to justice: ‘Guilty men experienced this most wretchedly when they died in his fetters, and could neither gain release *through kinship* or noble birth, nor ransom themselves with money’, and similarly, Roger of Sicily is said to have ‘spared no man but struck down kinsmen and strangers alike.’⁸ However, Duke William’s detachment from family ties is used to denigrate him, the subsequent lack of kin support seen as a sign of God’s disapproval: a complaint made against him by rebels focuses on how he is ‘attacked as much by his own kin as by strangers, and is deserted by his closest followers in the thick of battle.’⁹

The employment of kinship-based imagery shows the extent to which idealised notions of family relations had entered contemporary consciousness, providing a linguistic framework for the representation of other actions and behaviours. Duke William II apparently ‘venerated [Lanfranc] as a father, respected him as a teacher, and loved him as a son’, while a sick layman who made a grant to the Church ‘wish[ed] to profit from this illness like a good son from his father’s whip.’¹⁰ Revealing the flexibility of such notions, the converse image of paternal authority is invoked when King Henry is

⁵ Orderic, IV, 230-1; VI, 540-1. For general examples, IV, 210-1, IV, 294-5, V, 126-7, V, 128-9, V, 158-9, V, 168-9, VI, 520-1.

⁶ Orderic, VI, 372-3.

⁷ Orderic, IV, 22-3; VI, 224-5. GG, 62-3.

⁸ Orderic, VI, 18-9; VI, 432-5. My emphasis.

⁹ Orderic, II, 312-3.

¹⁰ GG, 84-5; Orderic, III, 202-3.

encouraged to win supporters before a battle: he is told to ‘coax [the knights] as a father would his sons, placate every one with promises, grant whatever they ask, and in this way draw all men assiduously to your cause.’¹¹ Negative aspects of an event or behaviour could also be highlighted, by drawing on images of adverse or even harmful kin relationships. This is seen in the evocation of step-relatives’ dealings, which were widely perceived in a negative light. Robert de Bellême ‘never honoured, aided, or clothed holy Mother Church as a son should, but like a stepson shamed, oppressed, and plundered her’, while the Christian forces in Jerusalem in 1099 invested the city ‘not as stepsons would a stepmother, but as sons a mother ... not to deprive her of her freedom, but to free her from captivity.’¹²

The vocabulary and imagery of kinship were also extended to the Church and the *patria*, to indicate the strength of the respective bonds of these groups and the stigma surrounding their breach, suggesting the centrality of the underlying perceptions of family. The ecclesiastical use of kinship vocabulary was of course widespread, and instinctively employed wherever appropriate, with God, the pope, bishops, abbots all seen in fatherly roles, the Church itself in a maternal role, and fellow Christians as brothers.¹³ Concord and discord between ecclesiastics were consequently perceived in familial terms, and mistreatment of the church by laymen was condemned in terms of kinship.¹⁴ Orderic’s linking of Henry IV’s opposition to the pope, Henry’s spiritual father, to the later rebellion of Henry’s biological son, suggests Orderic employed the same frame of reference for spiritual and biological kinship and for their contravention. After having invoked the cautionary tale of Absalom, whose demise was precipitated by his uprising against his father, Orderic tells how ‘Henry took up arms against his father and afterwards endured harsh persecution at the hands of his own son.’¹⁵

Notions of kinship permeate perceptions of the *patria*, too. Countries are cast in the maternal role, leaders in the paternal role, and inhabitants are considered sons and

¹¹ Orderic, V, 316-7.

¹² Orderic, IV, 158-9; V, 156-7. See also III, 150-1; elsewhere, *GND*, II, 54-7; *WM*, *GRA*, 264-7; Wace, *RR*, pp. 119-20; Walter Map, *De nugis curialium*, ed. and tr. M. R. James, rev. C. N. L. Brooke and R. A. B. Mynors (Oxford, 1983), 340-1.

¹³ For just a few examples of each, see: Orderic, II, 66-7, III, 16-9, III, 318-9, VI, 270-1, *GND*, II, 238-9; Orderic, II, 86-7, IV, 158-9, V, 18-9, VI, 322-3; Orderic, II, 58-9, V, 338-9.

¹⁴ Orderic, II, 112-3, for a quarrel between two abbots; Orderic, V, 156-7, and *GG*, 86-7, for abuse of the Church.

¹⁵ Orderic, IV, 10-1.

brothers. The use of kinship terminology in this national sense is common, and domestic conflict is sometimes vividly perceived in familial terms.¹⁶ Orderic offers a sustained image of mother Normandy being destroyed from within: '[Normandy] was perniciously troubled by her own children, and suffered continual sharp pangs, like a woman in labour.'¹⁷ The metaphor is even given a zoological dimension: 'just as the young of the scorpion burst out before the due time of birth and destroy their mother, so the Normans before the lawful terms of William [Clito]'s rule defiled their own land, and reduced it to wretchedness by their shocking atrocities.'¹⁸

More narrowly, the *patria* was often seen as one household governed by the paternal ruler. Describing the duchy of Normandy, the French monastic historian Ralph Glaber judged that 'the whole of the province subject to [the dukes]' might lived as one clan or family united in unbroken faith'; it is a recurring theme in Dudo's work, and also appears in other eleventh- and early twelfth-century Norman histories. Duke Richard I 'ruled the people amicably as a father his sons', 'he encourag[ed] the people as a father his sons', and 'as a father regulates his brood, the plebs [*plebas*] he ... justly pacif[ied]'.¹⁹ Despite his slightly later provenance, Walter Map offers an instructive insight, as he extended his discussion of the difficulties of controlling his own household to the king: 'How is he to keep order in thousands of thousands and govern them peaceably, when we small fathers of households cannot control the few we have?'²⁰

Linguistic evidence aside, practical examples best demonstrate how family and conflict were represented, since the tenet of mutual kin support underpins chroniclers' interpretation of action in various spheres. It is Robert de Mortain who begs the

¹⁶ See, for instance, Dudo, pp. 28, 140, 146, 148, 167; Dudo of Saint-Quentin, *De moribus et actis primorum Normanniae ducum*, ed. J. Lair (Caen, 1865), pp. 144, 266, 272, 274, 293; and Orderic, II, 266-7, III, 82-3, VI, 86-7, among others.

¹⁷ Orderic, VI, 456-7; also VI, 492-3.

¹⁸ Orderic, VI, 208-9. The word used for scorpion – *nepa* – is unusual, and Orderic was probably thinking of the viper, about which it was believed the young killed their mother by biting through her side when they were ready to be born, rather than the scorpion, of which there does not seem to have been similar beliefs. Indeed, when Orderic uses the same metaphor at VI, 450-1, the reference is to the viper. For medieval perceptions of the viper, see T. H. White, *The Book of Beasts* (London, 1954), pp. 170-3, and R. Barber, *Bestiary* (Woodbridge, 1999), pp. 186-7.

¹⁹ Ralph Glaber, *Historiarum libri quinque*, in *Rodulfus Glaber Opera*, ed. and tr. J. France, N. Bulst, and P. Reynolds (Oxford, 1989), 36-7; Dudo, pp. 136, 143, 97; Dudo, *De moribus*, ed. Lair, pp. 261, 269, 221; GG, 154-5; Orderic, III, 82-3; IV, 100-1; GND (RT), II, 258-9.

²⁰ Walter Map, 24-5.

Conqueror on his deathbed to release from prison Bishop Odo, Robert's full brother and of course the Conqueror's half-brother.²¹ In 1077, Robert Curthose goes first to two uncles, and then to 'other noble kinsmen' for support after defying his father (although other evidence corroborates an appeal to only one uncle).²² Shared political aims are also attributed to kinsmen further afield. According to Orderic, the count of Sutri supported the archbishop of Ravenna during an armed conflict because the archbishop was his uncle, while a king in the Near East declares that he ought to aid his kinsman in battle.²³ Similar suppositions underlie shared political action in other Norman narrative sources. Dudo has an opponent of Duke William I entreat his uncle for support, while according to William of Jumièges, Duke Richard I speedily rescued his son-in-law 'out of love for him' when he was captured.²⁴ The presumption of kin support underpinned hostage-taking – Orderic states that 'Ralph the Red was an effective security for a lasting peace, because he was [Robert] Goel's brother-in-law' – and also the practice of vengeance.²⁵ Bernard the Dacian refuses to enter Francia as he fears retaliation from the relatives of men he had killed; members of the Giroie kin gather after the killing of William Giroie 'in order to avenge the damnable crime inflicted upon their brother'; and when a young man is inadvertently hit by a lance, he tells the unfortunate lance-thrower, "fly at once, for your wound will be my death ... fly before my brothers discover this and slay you for it."²⁶

Implicit judgements and the use of leading terms further bear out the customary praise for kin concord. Upon the reconciliation of Baldwin of Flanders with his son, William of Jumièges remarks, 'they lived in lasting peace and love, *as was fitting*.'²⁷ The author of the *De obitu Willelmi* praises the trust between Duke William II and his half-brother, Robert de Mortain, 'as befitted their close kinship.'²⁸ Admittedly, this text is derivative, but the decision to retain the statement shows that the sentiment remained pertinent. Orderic's narrative is brimful with judgemental descriptions of lay familial relations. He lauds a nobleman who 'always honoured his pious mother Windesmoth, and never

²¹ Orderic, IV, 98-9. *DOW*, 186-7, mentions Robert's presence only.

²² Orderic, III, 102-3.

²³ Orderic, IV, 8-11; VI, 506-7.

²⁴ Dudo, p. 67; Dudo, *De moribus*, ed. Lair, p. 189; *GND*, II, 36-7.

²⁵ Orderic, VI, 228-31. See also *Consuetudines*, 5.

²⁶ Dudo, p. 67; Dudo, *De moribus*, ed. Lair, p. 189; *GND* (OV), II, 110-3; Orderic, II, 30-1. See also *GND*, II, 56-7, and II, 154-5.

²⁷ *GND*, II, 54-5. My emphasis.

²⁸ *DOW*, 186-7.

failed to obey this dutiful mother as a faithful son *should*'; in 1088, 'King William [II] received [his brother Henry] kindly as a brother *should*, and *fraternally* granted him his petition' (for his maternal inheritance); while at Alton in 1101, Henry and Curthose agreed that 'they would help one another, as brothers *should*.'²⁹

When kinship bonds are breached, the chroniclers' judgements again reveal the presumption that kin harmony was the natural order. William of Poitiers notes disapprovingly that Guy of Burgundy was not restrained in his 'mad schemes' by his kinship to Duke William, and later emphasises that this deviation from behavioural norms was a sign of Guy's iniquity.³⁰ Orderic uses a man's glowing reputation, evidence of his high standing in God's eyes, as proof against the popular rumour that he had committed fratricide: God would not have allowed such a man a long and successful life (or even any life at all) after such an act.³¹ On his deathbed, the Conqueror bemoans that "'my closest friends and my kinsmen, who *ought* to have defended me with all their might against all men, frequently conspired and rebelled against me, and robbed me of almost all the inheritance I had received from my father.'"³² Elsewhere Orderic describes no less than four times the usurpation and imprisonment of Count Geoffrey III of Anjou by his younger brother Fulk le Réchin, accompanied by a condemnatory reference to this fraternal betrayal or treachery each time.³³

Other types of evidence corroborate the picture of family and conflict painted by the Norman narrative sources.³⁴ Family affairs were a favourite topic for vernacular

²⁹ Orderic, III, 180-1; IV, 148-9; V, 320-1. My emphasis. There is no record of Henry ever receiving his maternal lands.

³⁰ GG, 8-13.

³¹ GND, II, 112-3.

³² Orderic, IV, 82-3. My emphasis.

³³ Orderic, II, 104-5; II, 304-7; V, 28-9; VI, 74-5. On two occasions, Orderic describes Fulk's action as *proditio*, and on the other two occasions, Fulk is *periurus* and *fraudentus* respectively.

³⁴ English, Anglo-Norman, French and Flemish sources display the standard view of family and conflict. Gaimar references the love and equality between brothers in the context of the agreement, by which they became 'brothers by adoption', of Cnut and Edmund Ironside: Geffrei Gaimar, *Estoire des Engleis*, ed. and tr. I. Short (Oxford, 2009), pp. 237-45, echoing ASC D, 1016. William of Malmesbury has the ninth-century king of Wessex settling with his son after a split between them, fearing 'a war worse than civil', while in 1101, he states that the 'law of natural affection' won out to secure peace between Henry and Curthose: WM, GRA, 170-1, 716-9. Henry of Huntingdon displays a similar attitude, while a running theme of the *Gesta Stephani*, perhaps not surprisingly given it deals with a dynastic civil war, is the appeals of kinsmen based on shared blood: HH, HA, 44-5, 196-9, 450-3; *Gesta Stephani*, ed. and tr. K. R. Potter, intr. R. H. C. Davis (2nd ed.; Oxford, 1976), 52-5, 126-7, 206-7, and, counter-examples, 88-9, 118-

literature. The many difficulties of using literary evidence are well known, and need no rehearsal here. We might note Marc Bloch's neat précis: 'The epic was a magnifying glass. But the poet's inventions could hope to find little response unless they conformed to common sentiment.'³⁵ All the action in the *Song of Roland*, of which the oldest manuscript is of Anglo-Norman provenance, is predicated upon a stepfather's attempt to take revenge upon his stepson. The tale is permeated by ideas and ideals of kin solidarity, with kinship as an assumed basis for political, military and legal alliance. Charlemagne urges on his knights by appealing to their duty of family vengeance ('"Avenge your sons, your brothers and your heirs / All slain the other eve at Roncevaux!"'), while thirty kinsmen are hanged with Ganelon for his treachery.³⁶ Ideals of kinship emerge clearly from Wace's *Roman de Rou* and *Roman de Brut*. Kin related topoi and imagery are employed to highlight certain points, while accounts of dynastic disputes allow fuller treatment.³⁷ On Curthose's invasion of England in 1101, for instance, Wace makes repeated reference to the angst of kin warfare ('no one dared advance for fear of killing his relative'), mentioning it five times in quick succession.³⁸ The fact that Wace even criticises King Henry on the basis of breached kinship bonds, despite writing for his grandson, Henry II, further suggests the strength of this sentiment. On hearing King Henry's plan to imprison Curthose for the rest of his days, Wace has Robert de Meulan voice a fervent objection to the king: "My lord ... have

9, focusing on Bishop Henry's fraught vacillation between his brother and the Angevin faction. In line with other historians, Suger condemns the filial usurpation of Henry V in the Holy Roman Empire: Suger, p. 47; Suger, *Vie de Louis VI le Gros*, ed. and tr. H. Waquet (Paris, 1964), pp. 50-2. The French epic, *Raoul de Cambrai*, is particularly interesting on the norms of kinship, both harmonious and broken: much of the action is predicated upon Bernier's mission of vengeance against Raoul after the latter killed his mother and attacked the lands of his father and uncles, and later, when Bernier unwittingly meets his son in battle, it is said 'By right they ought to have been the closest of allies: one is the father, the other the son': *Raoul de Cambrai*, ed. and tr. S. Kay (Oxford, 1992), p. 455. The two key Flemish historians of this period, Galbert of Bruges and Herman of Tournai, both have a striking emphasis on the importance of family loyalty: individuals flee to their kinsmen; kinship is an assumed basis for shared views and actions; and kin conflict is condemned: see Galbert of Bruges, *The Murder of Charles the Good*, ed. and tr. J. B. Ross (rev. ed.; New York, 1967), pp. 123, 125, 129, and Herman of Tournai, *The Restoration of the Monastery of Saint Martin of Tournai*, tr. L. H. Nelson (Washington, 1996), p. 122. Furthermore, Galbert's entire text is structured around the notion that the death of Count Charles was punishment for the betrayal and slaying of Arnulf in 1071 by his own uncle, Robert the Frisian, Charles' grandfather: see J. Rider, *God's Scribe: the Historiographical Art of Galbert of Bruges* (Washington, 2001), pp. 66-73.

³⁵ Bloch, *Feudal Society*, p. 125.

³⁶ *Song of Roland*, tr. D. D. R. Owen (Woodbridge, 1990), lines 3411-2; lines 3932-3, 3958.

³⁷ For just a few examples, see Wace, *RR*, pp. 73, 105; and Wace, *RB*, pp. 15, 39, 61-73, 161, 319.

³⁸ Wace, *RR*, p. 208.

mercy for God's sake! You should not behave in that way. You should not capture your brother or cause him such shame.'"³⁹

A letter from Pope Gregory VII to Robert Curthose soon after Robert's reconciliation with his father following the first breach exhorts Robert to obedience, painting an idealised picture of familial relations:

You should take care, beloved son ... that you may not henceforth agree to the counsels of wicked men by which you may offend your father and sadden your mother. Let divine precepts and admonitions be indelibly graven upon you. "Honour your father and mother, that you may be long-lived upon the earth", and this: "He who shall speak evil of father or mother, let him die the death" ... By virtue of our office we charge you that you wholly banish the counsels of wicked men and in all things agree to the will of your father.⁴⁰

An ecclesiastical missive addressed to another obstinate young ducal scion similarly counsels filial compliance. Hildebert of Lavardin, archbishop of Tours, in a letter probably of 1127 regarding the marriage negotiations between Geoffrey Plantagenet and the Empress Matilda (to which the latter was resistant), encourages Matilda to acquiesce with her father's wishes, remarking in a disappointed tone upon the affront with which she had 'troubled her father's heart.'⁴¹

Occasional comments in charter sources also show these key assumptions of kinship at work. Called in by the monks of Préaux abbey during a dispute with Hugh, son of Turulf, Roger de Beaumont interceded and had the parties come to Beaumont to settle the case. Hugh was Roger's cousin, and the scribe inserts an explanatory aside at the point of Roger's intervention: Roger, he states, 'did not wish for Hugh to lose everything, as he was his kinsman.'⁴² A charter of Saint-Wandrille compares divine inducement (through illness) of a layman's restoration of seized monastic land to paternal chastisement: God 'wished to correct [the layman], as a good father does his

³⁹ Wace, *RR*, p. 210.

⁴⁰ *The Register of Pope Gregory VII, 1073-1085*, ed. and tr. H. E. J. Cowdrey (Oxford, 2002), 7.27.

⁴¹ PL 171, cols 291-2: *...ratus advectum de Anglia, qui voluntatem regis nobis aperiret, quive declararet quem affectum de contumelia filiae patris pectus induerit...*; discussed at M. Chibnall, *The Empress Matilda* (Oxford, 1991), p. 55. Ecclesiastical letters concerning non-Norman affairs too provide evidence for the encouragement of familial harmony and chastisement of discord. Fulbert of Chartres appealed to King Robert the Pious to reconcile with his quarrelsome son Hugh, 'so that you might not lose your reputation for fatherly affection as a result of [Hugh's] living in exile', while Pope Gregory VII pleaded with the king of Norway not to support a fissure in the Danish royal house. Fulbert of Chartres, *Letters and Poems*, ed. and tr. F. Behrends (Oxford, 1976), 101; *Pope Gregory VII*, 6.13.

⁴² *Rogerus, nolens ut ex toto amitteret Hugo (erat enim suus consanguineus)...*: Préaux, A1.17.

son.⁴³ The rationale underlying the monastic use of spiritual threats and deeds against the kinsmen of recalcitrant laymen assumed familial solidarity and affection. A charter of Jumièges clearly sets this out, as it narrates how the almoner had explained to a layman who, following in his father's footsteps, was extorting rent from the abbey, that both he and his father would suffer damnation should he continue in this. Similarly, an act of Mont-Saint-Michel records that excommunication had been imposed on *all* the ancestors of a father and son who had reneged on a gift to the monks, in an attempt to compel their capitulation.⁴⁴

Legal evidence is sparse for Normandy in this period, but one key piece of legislation implies that kinship norms underlay legal thinking too. A provision dating from 1075, preserved in a number of Norman annals, limits the exaction of vengeance for the death of family members to only fathers and sons of the victims.⁴⁵ In the context of a gathering at Rouen, it is said that 'at that place [Duke William] established an inviolable law, namely that no man should attack any man for the death of his kin, unless he had killed his father or son.'⁴⁶ This shows that taking vengeance for death or injury done to a kinsman (of course implying strong kin solidarity) was still sufficiently common to attract ducal attention. The fact that the provision was included in several annal collections suggests its importance. And we might note that thirteenth-century legal evidence too supports the norm of familial concord and support. A number of the provisions contained within the *Grand Coutumier* demonstrate this assumption, such as the requirement that 'conjoined persons' – those who are 'father, son, brother, who are immediately conjoined with one another' – cannot be oath-helpers, or the condition that blood relations of the involved parties, along with those 'suspected of love, special

⁴³ *Vero benignus Deus ... videretur perdidisse, eum, ut bonus pater filium, voluit corrigere*: Saint-Wandrille, 50.

⁴⁴ Jumièges, 62: see chapter five, n. 28; Mont-Saint-Michel, 49.

⁴⁵ Extracts from the annals of Saint-Etienne de Caen, 'Ex chronico S. Stephani in Cadomensis', *RHF* 11, p. 379; Extracts from the annals of Rouen, 'Ex chronico Rothomagensi', *RHF* 11, p. 387; Extracts from the annals of Saint-Evroul, 'Ex brevi chronico Uticensis coenobii in monasterio gastinensi continuato', *RHF* 12, p. 773; *RT*, 1075. For discussion, see E. Z. Tabuteau, 'Punishments in eleventh-century Normandy', in W. C. Brown and P. Górecki, eds, *Conflict in Medieval Europe* (Aldershot, 2003), pp. 131-49, at pp. 136-7; also, J. Gillingham, '1066 and the introduction of chivalry into England', in Garnett and Hudson, pp. 31-55, at p. 36; Haskins, *Institutions*, p. 278; D. Bates, *William the Conqueror* (2nd ed.; London, 2004), pp. 228-9.

⁴⁶ *Inibi etiam instituit legem sanctam, scilicet ne aliquis homo aliquem hominem assalliret pro morte alicujus sui parentis, nisi patrem aut filium interfecisset*: Annals of Saint-Etienne, p. 379.

favour, affinity or hatred', cannot serve on a jury.⁴⁷ A fascinating passage in the collection known as the *Très Ancien Coutumier* sets out a series of graded punishments for various acts of violence between family members, the severity of punishment depending on the relationship between victim and perpetrator, and the intent behind the act. The punishments are severe, ranging from life penance and life exile, to mutilation and death by hanging or burning.⁴⁸ The extreme nature of these provisions seems to reflect a widespread acceptance of familial harmony and concomitant disapprobation of or even revulsion at violent conflict within the family.⁴⁹

The final part of this first section focuses on analogies and references, drawn from Christian and classical tradition, commonly invoked in discussions of family and conflict. The use of such allusions tells us how conflict was viewed, and how the models and traditions affected chroniclers' treatment of dynastic discord.

The greatest influence on the Norman historians was, of course, the Christian milieu in which they lived. To historians in the Middle Ages, the Bible was the framework for all human existence, and Biblical parables and characters prefigured happenings in their own time. Explicit evocation of Biblical precedents and figures therefore affected the representation of dynastic discord: accounts of the present day were vulnerable to distortion, or at least to a slanted interpretation and presentation, in order to convey the correspondence to the Biblical model. For instance, Orderic's depiction of Curthose in his periods of exile adheres to the archetype of the prodigal son, thereby undermining the reliability of the account.⁵⁰ Factual accuracy aside, the interpretative use of Biblical models and precedents does show something of how the chroniclers perceived and judged familial affairs. It emerges that models are employed with flexibility, revealing contradictory perceptions.

⁴⁷ *Le Grand Coutumier de Normandie*, tr. J. A. Everard (St Helier, 2009) 85, pp. 344-5; 69, pp. 298-9. See also 69, pp. 302-3, where the nearest family member to the victim in case of murder has the power of suing. This same provision is found in *Glanvill*, ed. and tr. G. D. G. Hall (Oxford, 1993), p. 174.

⁴⁸ *Le Très Ancien Coutumier de Normandie*, in *Coutumiers de Normandie: textes critiques*, ed. E.-J. Tardif (Rouen, 1881-1903), 1, 35. See also P. Viollet, 'Les coutumiers de Normandie', in *Histoire littéraire de la France* 33 (1906), 41-190, at 61, for relevant additions to the passage from another manuscript.

⁴⁹ English legal sources contemporary with the period considered here, notably the *Leges Henrici Primi*, ed. and tr. L. J. Downer (Oxford, 1972), also support the Norman legal evidence: for an example of the use of the imagery of kinship to convey royal duties of protection and support, see 103; and on parricide, 68.9 and 75.5.

⁵⁰ Bickford Smith, *Orderic Vitalis*, pp. 77-9, and, more broadly, 71-83.

The Biblical notion of the inheritance of wickedness, of dynasties of sin, is reflected in chroniclers' treatment of family and dynastic strife. Highlighting divine favour of the Norman ducal house, William of Jumièges asserts that 'the wickedness of an evil father causes the fall of his son's house, but on the other hand ... the merits of the good father can confirm its strength.'⁵¹ Linked to this is the concept that sons were punished for the sins of their fathers. Dudo has an enemy of Rollo's father proclaim, "I will take revenge on the sons for the deeds of the father", while the deaths of two of the Conqueror's sons and a grandson in the New Forest were seen as divine punishment for his ruthlessness in the creation of the hunting ground.⁵² The extension of this interpretation to conflict can lead to its distortion. The clearest example comes from Arnulf de Bellême's rebellion against his father, William Talvas. Orderic considered Arnulf's uprising, which succeeded in expelling Talvas and establishing Arnulf in his lands, to be divine punishment for Talvas' bad lordship, in particular the mutilation of one of his own men. Arnulf was therefore the rod of God's wrath, and he is not censured. But Arnulf was a member of the Bellême dynasty, hated by Orderic, so when Arnulf died soon afterwards, he still met a bad end, not because of his filial rebellion, but because he sprang from wicked stock: 'though he took his father's property he did not avoid his father's wickedness and therefore his wretched death was well deserved.'⁵³

The story of David and Absalom is the Biblical allegory most frequently evoked for family politics.⁵⁴ Xavier Storelli has recently shown that Anglo-Norman chroniclers' use of the figure of Absalom was nuanced: allusions drew on different strands of the discourse, depending on the context. Fundamentally Absalom personified the ultimate sin: the divine figure was a paternal figure, so to take up arms against one's father was

⁵¹ *GND*, II, 90-1.

⁵² Dudo, p. 26; Dudo, *De moribus*, ed. Lair, p. 142; Orderic, V, 284-5, and *GND* (RT), II, 216-7. See Orderic, II, 262-3, for the further example of Robert Malpas.

⁵³ *GND*, II, 112-3. The same considerations underlie Orderic's treatment of Prince Henry's expulsion of Henry IV: Orderic, V, 196-7.

⁵⁴ 2 *Samuel*, 13-19. Absalom killed his elder half-brother Amnon as vengeance for the Amnon's rape of Tamar, Absalom's full sister, and then fled. He later returned, and only after several peaceful years rebelled against his father King David. Absalom's forces were defeated in battle. Although David ordered that his son be treated gently, when David's commander Joab came across Absalom caught in a tree he and his men killed him, bringing great grief to David. Perhaps surprisingly, the story of Cain and Abel is rarely alluded to in accounts of dynastic conflict; certainly, a number of fraternal struggles in the period presented opportunity, but perhaps the Old Testament case was seen as too extreme.

tantamount to rebelling against God, violating both biological and spiritual paternal ties. However, the use of the Absalom allegory was often ambiguous and ambivalent, reflecting, Storelli suggests, the shades of grey present in a struggle within the ruling house, thanks to the contradictory justifications of each side.⁵⁵ Other aspects of the Absalom story were also highlighted, beyond the central theme of filial disobedience leading to disaster. David's sorrow at the death of his rebellious son was used to stress the tragedy of contemporary events: Orderic compares Henry's grief at the White Ship disaster to David's 'bitter laments at the slaying of Amnon or Absalom' (and clearly Absalom's name was not so tarnished to preclude association with the Aetheling).⁵⁶ The Absalom allegory is also employed to encourage leniency: Orderic has William Rufus' barons invoking David's mercy towards his son to encourage clement treatment of the 1088 rebels.⁵⁷ It is not Absalom and his filial defiance which is significant here, but the figure of David: by appealing to the Old Testament king's example, the barons cast Rufus as a new David. A further allusion to the Absalom story emphasises yet another dimension – the untrustworthiness of followers during a struggle within the ruling house. Discussing the difficulties of kin warfare in the context of Henry's struggles against William Clito, Orderic laments, 'many in Normandy then imitated Achitophel and Shimei and other turncoats, and committed deeds like those of the men who, deserting the king divinely ordained by Samuel, joined Absalom, the parricide.'⁵⁸

These varied uses of the Absalom story show the flexibility with which it was deployed, illustrated by the clearest use of the allegory in the *Ecclesiastical History*. This instance also shows how accuracy and even plausibility could be sacrificed for a neater fit with the Biblical model. The David and Absalom story is a central pillar around which Orderic builds his account of the first breach between the Conqueror and Curthose.⁵⁹ In

⁵⁵ X. Storelli, 'La figure d'Absalon dans la famille royale anglo-normande (XI^e-XII^e siècles)', in Aurell, *La parenté déchirée*, pp. 321-341.

⁵⁶ Orderic, VI, 300-1.

⁵⁷ Orderic, IV, 130-1.

⁵⁸ Orderic, VI, 200-3. This too is the complaint underlying William of Jumièges' comparison of Guy of Burgundy to Absalom: '[Guy] began to sever many magnates from their allegiance to the duke...': *GND*, II, 120-3.

⁵⁹ Orderic's narrative of Robert's first rebellion is rather confused, with two accounts given of its beginnings. At III, 96-113, Robert storms out of court after clashing with his father, while at II, 356-61, the uprising is triggered by a brawl between the three sons of the Conqueror at Laigle. For the most recent assessment of Curthose's career, see W. M. Aird, *Robert Curthose Duke of Normandy c. 1050-1134* (Woodbridge, 2008), and specifically on the conflict between Curthose and the Conqueror, W. M.

the dramatic argument Orderic constructs between father and son to convey the key issues underlying the dispute (as Orderic saw them), William warns Robert, “Remember what Absalom did; how he rebelled against his father David, and what a wretched fate befell him no less than Achitophel and Amasa and his other advisers and accomplices.” As the reference to advisors suggests, particularly following William’s preceding recommendation to Robert to “choose yourself better counsellors”, the emphasis of the Biblical caveat here is on the importance of heeding good advice rather than the sin of filial defiance.⁶⁰ The second allusion to the Absalom allegory comes as the barons are attempting to make peace between father and son. William remains intransigent: “I am amazed that you should plead so urgently for a traitor who has dared to commit such monstrous crimes in my kingdom ... according to divine law, given to us through Moses, he is deserving of death, and like Absalom in his guilt ought to be punished by a death like Absalom’s.” Superficially, this is a simple parallel between Absalom and Robert, two filial rebels. However, there is greater stress on the subversion of ducal followers and the open invitation to foreign enemies that had resulted from Curthose’s defiance, as William claims that Robert “would not hesitate, if he could, to stir up the whole human race against me and slay me and you as well.”⁶¹ This, of course, mirrored the effects of Absalom’s uprising, so the model is used here to cast Curthose as a traitor in general terms, in line with Orderic’s use of the allusion in relation to the 1088 rebellion (mentioned above) and also the 1075 plot against the Conqueror in England.⁶² Meanwhile, the severity of the ‘divine law’ mentioned – taken by Chibnall as a reference to Exodus 21.15, ‘Whoever strikes mother or father shall be put to death’ – and the brutality of Absalom’s death, bear out William’s arguments for a ruthless treatment of his son. This raises two points. First, it illustrates the Absalom example being used to argue the exact opposite of its use elsewhere (notably, 1088, to favour clemency towards rebels) – a flexible allegory indeed. Second, it is highly improbable that William ever, except perhaps in the heat of the moment, countenanced punishment by death for his eldest son. This instead shows Orderic sculpting his narrative in order to fit it into his chosen model, and, of course, for dramatic effect. While perhaps not intended here to be the unadorned truth, other instances of events

Aird, ‘Frustrated masculinity: the relationship between William the Conqueror and his eldest son’, in D. M. Hadley, ed., *Masculinity in Medieval Europe* (London, 1999), pp. 39-55.

⁶⁰ Orderic, III, 98-9.

⁶¹ Orderic, III, 110-3.

⁶² Storelli, ‘Absalon’, pp. 324-5.

being described with a certain slant in order to mirror perceived Biblical precedents may be less discernible, but just as influential.

The dominant concern highlighted by the use of the Absalom parable is fear that destabilisation of the kingdom will be the ultimate result of discord within the ruling house through subversion of followers, rather than a simple abhorrence of a son taking up arms against his father. The use of classical exempla suggests the same. Norman historians of the eleventh and twelfth centuries were well versed in the classical sources, and the monastic libraries reasonably endowed with classical literature.⁶³ The favourite classical allusion for dynastic affairs was drawn from Lucan's *Pharsalia*. Orderic used Lucan's phrase, 'a more than civil war', to describe kin warfare on several occasions – all fraternal, except the struggle between Henry and Clito.⁶⁴ The citation, from the very first line of the poem, introduces a general lament on Romans fighting one another, diverting their pugnacity away from foreign glories; the (unfinished) poem then describes the civil war between Caesar and Pompey (49-45 BC). Although Caesar and Pompey were related by marriage, Lucan's principal revulsion at the war stems from its internal, civil nature, rather than its specifically familial dimension. Certainly, an early line speaks of 'kin facing kin', but the wider focus is on the paradox and horror of the Roman citizens turning against one another, of war without an enemy.⁶⁵ This theme fits well with the Norman historians' view of dynastic conflict, which, as argued later, was primarily concerned with the resultant destructive internal warfare. Yet Orderic only uses this allusion at the opportune moment to flag up kin discord, and does not draw further on Lucan in his frequent tirades against sinful civil discord. Only once, when commenting on the doubts which plagued men and undermined fidelity during internecine conflict, does Orderic engage with the wider theme of the *Pharsalia*, but

⁶³ See E. Albu, *The Normans in their Histories: Propaganda, Myth and Subversion* (Woodbridge, 2001), and L. Shopkow, *History and Community: Norman Historical Writing in the Eleventh and Twelfth Centuries* (Washington, 1997), on Norman history writing. The *Gesta Guillelmi* is particularly important in its use of classical models: see Shopkow, *Community*, pp. 155-7, and R. D. Ray, 'Orderic Vitalis and William of Poitiers: a monastic re-interpretation of William the Conqueror', *Revue belge de philologie et d'histoire* 50 (1972), 1116-27. On Orderic's use of classical sources, Chibnall, 'Introduction', in Orderic, I, 62-3. And on the possessions of Norman monastic libraries, see the summary in Chibnall, *World*, pp. 91-2; for a more extensive survey, G. Nortier, *Les bibliothèques médiévales des abbayes bénédictines de Normandie: Fécamp, Le Bec, Le Mont-Saint-Michel, Saint-Evroul, Lyre, Jumièges, Saint-Wandrille, Saint-Ouen* (Paris, 1971).

⁶⁴ Orderic, IV, 168-9; IV, 212-3; V, 362-5; VI, 84-5; VI, 200-3.

⁶⁵ Lucan, *Civil War*, tr. S. H. Braund (Oxford, 1992), I.4; Lucan, *Civil War*, tr. J. D. Duff (London, 1928), for the Latin. The first thirty-two lines of the poem alone mention this theme several times. See Braund, 'Introduction', in Lucan, pp. xl-xlii.

even then the relevant phrase is simply slotted in to support his ideas.⁶⁶ This suggests that Orderic did not know Lucan particularly deeply, but made only superficial use of the reference as the classical archetype brought to mind when treating kin conflict, despite its wider implications of the broader impact of discord within the ruling house.⁶⁷

The other major classical reference work for family and conflict is Statius' epic Latin poem, the *Thebaid*, which covers the Theban dynastic struggles and draws heavily on Lucan.⁶⁸ The fraternal feud of Eteocles and Polynices is evoked in Orderic's theatrical constructed argument between the Conqueror and Curthose. Robert compares himself to Polynices, and similarly vows to find a protector.⁶⁹ Given the ultimate fate of Polynices, and indeed of Robert after Tinchebray, this scene is pregnant with foreboding.

However, the focus here is not on the fraternal rivalry, which had yet to come into play, but on Polynices' / Robert's exile from his native land and enforced dependence upon foreign aid. Orderic's imagined baronial council of 1088 stresses a different dimension of the Theban struggles. The central theme of the magnates' discussions, in the context of the 1087 Anglo-Norman settlement, is the impact of the division of the realm, as the barons lament that, "a great burden ... has suddenly been thrust upon us, and we are crippled by a sharp decline in our power and wealth." Considering their options, the nobles look to precedents, citing first the Old Testament example of the division of Israel under Rehoboam and Jeroboam, which brought widespread destruction, and second, the fate of the Thebans under Polynices and Eteocles: "Did not many thousands fall on both sides while the brothers slew each other in their fight to the

⁶⁶ Orderic, VI, 200-1.

⁶⁷ Chibnall, 'Introduction', in Orderic, I, 63, suggests that Orderic had a greater knowledge of Lucan than of other classics, such as Vergil, Ovid and Horace, whose work he only knew from *florilegia* or *exempla*. This is on the basis of two general references to the *Pharsalia*, at V, 280-1, and VI, 212-3. Orderic does seem to exhibit greater familiarity with Lucan, but his knowledge is not as deep as Chibnall implies. These references all come from early books of Lucan's work (I or II), and are basic citations only, showing no greater engagement with the themes of the poem.

⁶⁸ W. B. Anderson and P. Hardie, 'Annaeus Lucan, Marcus', in S. Hornblower and A. Spawforth, eds, *The Oxford Classical Dictionary* (4th ed.; Oxford, 2012), pp. 91-2; D. Feeney, 'Statius, Publius Papinius', in *idem*, p. 1397. On the status of the *Thebaid* during Orderic's lifetime, see Orderic, III, 100, and L. E. M. Walker, '*Heureux ceux qui procurent la paix*: Vital de Savigny', in Gazeau and Green, pp. 249-262, n. 43 at p. 254.

⁶⁹ Orderic, III, 100-1. Polynices and his brother Eteocles were the sons of Oedipus, and had agreed to co-rule Thebes, but once in power Eteocles refused to give his brother a share. Polynices thus went to king Adrastus in Argos for help, with whom he attacked Thebes; the two brothers ended up killing each other in single combat.

death, leaving their inheritance to foreign successors?""⁷⁰ The primary concern here, again, is the debilitating impact of the warfare that exposed the country to foreign threats and rendered it defenceless if invaded, rather than the immorality of the fraternal conflict (indeed, the Old Testament kings were not even kinsmen).

The analogies and allusions employed during treatment of dynastic struggles were therefore not necessarily directed towards the sin of familial discord itself, but were used to highlight various issues, in particular the wider consequences of internecine conflict. Furthermore, the influence of classical and (in particular) Biblical models of kin conflict could lead to a distorted interpretation of contemporary events in order to mould them to the chosen paradigm. Both of these biases undermine the axiomatic view of family conflict.

Representations of family and conflict in practice

The basic thesis that solidarity and mutual support was intrinsic to kinship and the consequential aberrance of kin dissension, seen across the spectrum of evidence, was not consistently applied in practice; other factors often exerted a stronger influence on the treatment of family discord. The clearest illustration comes from Orderic's treatment of three separate episodes of dynastic strife.⁷¹ In each example, notions of kinship are subordinated to other concerns, all underpinned by his perception of divine will; his aversion to the Bellême dynasty, his espousal of Saint-Evroul's founding family, and his esteem for King Henry. Orderic reports in his own history Arnulf de Bellême's c. 1048 expulsion of his father, the powerful marcher lord William Talvas, without comment, but gives a more extensive account in the *Gesta Normannorum Ducum*. Orderic does not denounce Arnulf's filial defiance, believing he was fulfilling God's will in punishing his father, who had proved his wickedness most recently by an unprovoked attack on his own vassal, William Giroie. Orderic still considered Arnulf's subsequent death to be divine retribution, but for his crime of stealing, and eating, a nun's pig: he is killed on the very night of the porcine feast. Crucially, William Giroie was one of the founders of Saint-Evroul, whose memory and line Orderic therefore

⁷⁰ Orderic, IV, 122-3. For a possible deeper reading of the Rehoboam reference, see N. Strevett, 'The Anglo-Norman civil war of 1101 reconsidered', *ANS* 26 (2004), 159-75, at 172-3.

⁷¹ On Orderic's depictions more generally being context-dependent, Bickford Smith, *Orderic Vitalis*, p. 95, and specifically on family ties, pp. 148-9.

glorified, in contrast to his vilification of the Bellême house, the long-term rivals of the Giroies (and the Grandmesnils, Saint-Evroul's other founding family).⁷² Orderic's hatred for William Talvas, and his high regard of the Giroies, seeing the former as the object of divine disapproval and the latter of divine favour, thus determined his treatment of Arnulf's violent filial defiance.⁷³

The second example concerns two of William Giroie's brothers, other members of Saint-Evroul's founding family. In the *Gesta Normannorum Ducum*, Orderic narrates the assassination of Gilbert, count of Brionne, and his man Fulk Giroie, by Odo the Fat and Robert Giroie, Fulk's brother.⁷⁴ However, the *Ecclesiastical History* – essentially a history of the abbey and its founding families, even if Orderic digressed at times – mentions the ambush but suppresses the identity of its perpetrators.⁷⁵ Here Orderic's dedication to the glorification of Saint-Evroul and its founders prevailed over the norms of kinship which required naming and shaming an iniquitous fratricidal killer.

The third illustration is perhaps the most compelling, clearly demonstrating differing representations of familial disloyalty and conflict according to the parties involved. Writing retrospectively in the 1130s, well after Henry's successful reunification of the Conqueror's lands and establishment of peace in the turbulent duchy after years of volatility and violence under the weak Curthose, Orderic regarded Henry as the divinely-backed saviour of Normandy. He is the closest the *Ecclesiastical History* comes to a secular hero, Orderic's veneration no doubt reinforced by Henry's visit to Saint-Evroul in 1113.⁷⁶ The actions of Henry during the recurrent, often intense, struggles between the three sons of the Conqueror in the 1090s therefore merited a differently nuanced representation from the actions of his two elder brothers. Curthose, who, if not the *bête noire* of the work (that dubious honour belonged to Robert de

⁷² Orderic, II, 14-5; *GND*, II, 110-9. Furthermore, Orderic particularly admired William: 'What volumes I could write about William if only so many other topics were not demanding my attention!': Orderic, II, 28-9.

⁷³ Memory of Arnulf's short-lived usurpation persisted for at least three centuries; a fourteenth-century cartulary of Troarn mentions it in a short history of the founding family, judging Arnulf's act a wrong, but interestingly choosing not to suppress it. BNF, ms. lat. 10086, fos 29v-30r.

⁷⁴ *GND*, II, 94-5.

⁷⁵ Orderic, II, 28-9.

⁷⁶ Chibnall, 'Introduction', Orderic, I, 32, suggests that Henry's visit prompted Orderic to begin his work, an argument developed by G. S. Garnett, 'Robert Curthose – the duke who lost his trousers', *ANS* 35 (forthcoming, 2013; all references are to the provisional page numbering, 1-52, and I am grateful to the author for providing me with a copy of the article).

Bellême), was seen as a feeble and irresponsible duke; William Rufus was cast as a wicked and immoral man (though an effective ruler), in line with his depiction by other monastic chroniclers of the day. The fraternal struggles unfold along these lines; while Robert and Rufus are criticised for their treatment of their younger sibling, Henry's aggression is validated. In the early 1090s, Henry is 'relentless' towards his brothers, but Orderic rationalised this. Robert had unjustly imprisoned him, while Rufus had disseised him of his maternal lands.⁷⁷ Conversely, the mistreatment of Henry by Robert and Rufus was baseless: 'Because [Henry] was the youngest he was not treated as a brother by his brothers, but rather as a stranger, so that he was forced to seek the support of strangers ... and for five years had been wearied by constant changes of fortune.'⁷⁸ Robert and Rufus should, Orderic maintains, have granted Henry a share in the Conqueror's lands, and only after these requests had been ignored, and Henry 'had got nothing in the face of their persistent tenacity', did he resort to the more extreme measure of rebellion. At its failure, Henry was forced by his brothers' neglect 'to endure poverty in exile' for two years.⁷⁹ And all this, despite the fact that Henry had fulfilled his own fraternal duties: only a year before his expulsion from Mont-Saint-Michel, he had been the first to come to Duke Robert's aid during the Rouennais uprising and had acted as the 'stern avenger of his brother's wrong', sending help, personally fighting (while the duke ran away) and even, with a rather macabre glee, enacting vengeance on the ringleader of the revolt.⁸⁰

As Henry's power grew, he shifts from being a noble, tragic figure, to a hard-nosed and effective marcher lord in Orderic's narrative, reflected in his pragmatic approach to his fraternal duties. Although by taking Domfront for himself around 1092, Henry was seizing ducal lands to which he had no claim, Orderic does not show the event as an abuse of fraternal norms. Instead, it is seen as just reward for his years of struggles against his brothers; furthermore, the townspeople had invited him in, Orderic claims, fed up with the oppressive rule of Robert de Bellême. Once established, Henry 'took up arms energetically against Robert, duke of Normandy ... capturing and imprisoning many men.' Again, this is not condemned, but praised: Henry was 'avenging the

⁷⁷ Orderic, IV, 220-1.

⁷⁸ Orderic, IV, 256-7.

⁷⁹ Orderic, IV, 250-3. See also Orderic, IV, 256-7, on Henry claiming his 'inheritance.' Robert of Torigni follows this line of argument: *GND*, II, 206-7.

⁸⁰ Orderic, IV, 222-7.

injustice [*iniuriam*] of his banishment with fire and plunder' – methods which, at other times, Orderic was certain to denounce.⁸¹ Once in firm control of the Cotentin (which Henry did have some claim on, having purchased it from the duke in 1088), he 'assisted his brother [Duke Robert] only so far as it pleased him to do so.'⁸² Henry's pragmatism is regarded positively, here; once again, in an episode closer to Orderic's interests, the axiom of kin support proves secondary to the main thrust of the account.

We see inconsistent representation elsewhere, too, although the rationale for the lack of denunciation may be unclear. Dudo offers no comment on the fierce fighting between Dacian sons, fathers and grandfathers and the subsequent expulsion of youths from the kingdom.⁸³ Orderic reports the fratricidal murder of King Cnut of Denmark in 1086 in a neutral style; although he does refer to the event as 'sad', this is related to the manner of Cnut's death – decapitated while at prayer – and no barrage of invective against the brother-killer materialises.⁸⁴ Orderic similarly does not condemn the killing of Arnulf by his uncle Robert the Frisian at the battle of Cassel in 1071, as the two laid claim to the county of Flanders; by this deed, Robert usurped rule. In fact, Orderic only reports the event because it also saw the death of William fitz Osbern. Moreover, he wrongly believed Robert had also killed another nephew, and, in the *Ecclesiastical History*, mistook Arnulf for Robert's brother rather than nephew – both errors which increased the extent of the sin, and therefore the likelihood of denunciation.⁸⁵ Orderic's regard for Henry came into play again, in his treatment of a later incident. Orderic is clear that it was the king's severity and anger which led to the mutilation of two of his granddaughters, while the youngsters were with the king as hostages, following his opponent's maiming of his own child hostage. Orderic is quite moved by this; in his account of the parents' grief upon hearing of their daughters' blinding, he laments, 'So innocent childhood, alas! suffered for the sins of the fathers, and the feelings of both parents were roused by the suffering and maiming of their offspring.' Despite this, Orderic does not criticise Henry directly, but seems to recognise, even vindicate, the

⁸¹ Orderic, IV, 256-9.

⁸² Orderic, V, 26-7.

⁸³ Dudo, p. 15; Dudo, *De moribus*, p. 129.

⁸⁴ Orderic, IV, 54-5.

⁸⁵ *GND*, II, 146-7; Orderic, II, 280-5.

deed as necessary in the tit-for-tat vengeance culture and high political stakes of the situation.⁸⁶

Evidence from other types of sources also suggests that treatment of kin conflict was less than consistent. Some of the texts discussed earlier are not clear-cut in their presentation of dynastic norms and conflict. In the *Song of Roland*, it is not Ganelon's act of taking revenge on Roland which gets him hanged – this is legitimate – but the fact that he did it while in his lord's service, thereby committing treason.⁸⁷ The Conqueror's legislation of 1075 restricts the enacting of vengeance to the fathers and sons of victims – no other kin could seek revenge. This was of course part of the broader ducal effort to limit violence in Normandy, but such an extensive ban on familial vengeance is a far cry from the all-encompassing bloodfeuds of literature.⁸⁸ Of course, we cannot be sure of its effectiveness, but there would have been little point in issuing a provision totally beyond the realms of possibility. And as for the rather severe punishments doled out to perpetrators of kin violence in the *Très Ancien Coutumier*, it is unlikely that these provisions were actually intended for strict use. The *Coutumier* itself is a problematic text; it is not a single work but a collection of short, fragmentary tracts of unknown provenance, and is more reflective than prescriptive, gathering and recording for the first time various notions of and approaches to a customary law still in the process of crystallisation.⁸⁹ Knowing nothing of the passage's provenance, it is impossible to judge its function. It may represent the use of a severe penalty as a deterrent and a starting point for negotiated settlement, or, equally, it may represent a scholarly legal exercise, an attempt to 'rank' sin and penalty together and achieve symmetry between crime and punishment. While providing insight into common perception of family conflict, the passage probably corresponded little to reality; as with the evidence from the 1075 legislation and *Roland*, other factors significantly undermine the apparent denunciation of kin conflict.

⁸⁶ Orderic, VI, 210-3.

⁸⁷ *Roland*, lines 3825-37.

⁸⁸ On this, see Sawyer, 'Bloodfeud', who argues that literary depictions of large kin-groups with strong family solidarity was not a good guide to contemporary reality, but corresponded to what audiences liked to see.

⁸⁹ J. A. Everard, 'Introduction', *Grand Coutumier*, pp. xx-xxiv; Roche, *Conflicts*, pp. 245-6.

This flexible, pragmatic approach to notions of family loyalty betrays a recognition that the idealised norms of familial harmony could not be always followed in practice: other concerns often led to a departure from these standards. A look at other evidence here reveals wider acknowledgement of the realities of kin relations and particularly kin disputes. Suger, for instance, comments on family ties in a pragmatic, even cynical, tone. He suggests that power struggles between fathers and sons were common, when he praises Prince Louis for *not* quarrelling with his father, ‘as other young men customarily do’, while a French count, Odo, is belittled for trusting his brother; when the latter ‘laid a snare for his simplicity... the foolish man [Odo] learned what kinship really means and what happens when it is corrupted by envy.’⁹⁰ Guibert de Nogent echoes this tone. He relates how his kinsmen encouraged his father to become a monk in order to snatch away his property, and how they also tried to benefit from Guibert’s own rise, ‘looking out not so much for me as for themselves.’⁹¹

This pragmatic recognition of realities is also seen specifically in relation to conflict. Discussing a quarrel between Fulk Nerra of Anjou and his brother-in-law Conan of Brittany, Ralph Glaber says that they ‘proceeded to a conflict internecine but unavoidable.’⁹² Wace focuses on the link between land and family disputes, stating that the Conqueror ‘gave his land to his sons, so that after his death there would be no quarrelling’, echoed in his account of the Brüderskrieg of 840-43, as Louis the Pious ‘divided his land between his four sons, so that after his death there would be no strife.’ The subsequent eruption of significant strife in both cases perhaps suggests that Wace’s words were meant tongue-in-cheek, to imply the fruitlessness of attempts to prevent conflict between sons over land, particularly in view of contemporary happenings: Wace probably stopped working on the text in 1174, the second year of the great rebellion against Henry II by his wife and sons.⁹³ Considering this same Plantagenet rebellion, Robert of Torigni shows his awareness of the realities of political power. Recounting the peace-making mission of an archbishop and an abbot during the discord

⁹⁰ Suger, pp. 61-2, 64-5; Suger, *Vie de Louis VI*, ed. Waquet, pp. 82, 88-90.

⁹¹ Guibert, *Memoirs*, 1.12, 1.19.

⁹² Glaber, *Historiarum*, 58-9.

⁹³ Wace, *RR*, pp. 193, 226. Furthermore, Wace interestingly makes no mention of Robert Curthose’s opposition to his father; this may be related to his apparently positive views of Robert, particularly given that by the time Wace was writing Curthose was remembered more as a crusading hero than as a failed duke, but it also demonstrates Wace’s understandable reluctance, in the current political situation, to draw attention to filial disobedience within the ruling family.

between Henry's father and son, Torigni states that 'little was accomplished, [as they were] obstructed by the sins of mankind.'⁹⁴

The final conviction of Ganelon for treason shows that bonds of lordship sometimes superseded those of kinship. When ties of lordship also existed between kin-members, it is difficult to be certain which was the basis for the castigation of those who breached these bonds.⁹⁵ William of Poitiers cast the rebellious William of Arques more as an insubordinate, overmighty vassal than a ducal kinsman advancing a hereditary claim to the duchy: 'At last [he] saw ... that he had been ill-advised to covet power and snatch it from his lord, that to violate his oath and faith was both iniquitous and often dangerous.'⁹⁶ Despite the anxiety that plagued Wace earlier in the *Roman de Rou*, particularly evident in his treatment of the 1101 clash between Curthose and Henry, it was the breach of lordship bonds which troubled him at Tinchebray. Superficially Wace's criticism is directed towards the vassals of the Norman duke. Yet since Henry had probably performed homage at least twice to Curthose, and a probable factor in Wace's loss of royal patronage was his less than glorious depiction of Henry (of course his patron's grandfather), it is likely that this was a veiled criticism of Henry's actions in 1106. This is implied by the textual juxtaposition of Duke Robert's capture and reproach of disloyal men:

The king had the duke and the count [of Mortain] in his power, whoever might be honoured or shamed thereby. He acts very shamefully, no one could do worse who betrays his liege lord. No man, for any reason, should fail his earthly lord; he should protect his life and limb and uphold his earthly honour. He who abandons his lord did wrong; the duke was captured and the count with him.⁹⁷

⁹⁴ *Sed impediētibz hominum peccatis, partum profecit*: RT, 1174. Robert's near contemporary, Gerald of Wales, even saw conflict within the Angevin ruling family as the natural order: Gerald of Wales, *Liber de principis instructione*, in *Giraldi Cambrensis Opera* 8, ed. G. F. Warner (London, 1891), 2.10, 3.27, 3.30; and see R. Bartlett, *England under the Norman and Angevin Kings* (Oxford, 2000), p. 320, and Bachrach, 'Family hostility', 130, for discussion.

⁹⁵ In the later twelfth century, too, the bonds of lordship were thought to bolster those of kinship: William of Newburgh, *The History of English Affairs*, tr. P. G. Walsh and M. J. Kennedy (2 vols; Oxford, 1988-2007), II, 154-5.

⁹⁶ GG, 40-1. On the similarly greater weight William of Jumièges placed on ties of fidelity over ties of kinship, Shopkow, *Community*, p. 86.

⁹⁷ Wace, *RR*, pp. 219-20. G. S. Burgess, 'Introduction', in Wace, *RR*, p. xii, and works cited; on Wace's conscientiousness as a historian, E. M. C. van Houts, 'Wace as historian', in Keats-Rohan, *Family Trees*, pp. 103-32.

If this *is* an oblique criticism of Henry, its focus is on his violation of lord-vassal relations; even if not, there is striking emphasis on the wider breach of lordship bonds in this account of a battle perhaps most famous for the fraternal rivalry at its core.

Having seen that idealised notions of kinship often took second place to other interests and were anyway outweighed by the bonds of lordship, probing more deeply into the representation of dynastic strife now reveals that the major source of disquiet was the impact of such conflict on the people and the Church.

The suffering brought to Normandy by internal warfare is a major theme of the Norman narrative sources, particularly the *Ecclesiastical History*. Orderic laments how under Curthose, ‘theft and rapine were daily occurrences, and brutalities increased everywhere to the ruin of the whole country’, and he makes similar observations during Stephen’s ducal rule, directly linking the multiplication of ‘evil deeds’ with the lack of an effective ruler.⁹⁸ Meanwhile, in the context of William of Arques’ uprising, William of Poitiers speaks of the ‘pitiable lamentations of the unwarlike masses, which always arise in the time of war or sedition.’⁹⁹ The same complaints are found at times of aristocratic family strife. For instance, Orderic notes the local impact of the recurrent warfare between Robert de Bellême and two kinsmen from the Perche: ‘Though it distressed [the Perche lord] to injure defenceless and innocent people ... his plan was to lie in wait behind his fortifications, regretfully allowing plundered bands to range at large over his lands ... so a protracted struggle dragged on ... and caused severe losses and casualties to their subjects.’¹⁰⁰

These sentiments are echoed throughout the *Ecclesiastical History*, particularly at times of disruption. This was not necessarily limited to struggles within the ruling family, but because the most effective means of expressing opposition to ducal rule was to rally behind an alternative claimant, wider disorder was often rooted in ducal kin conflict. The central anxiety associated with conflict within the ruling house was that it left the country without a leader, and therefore vulnerable to foreign invasion. This is a key theme of Dudo. Appealing to the elderly and enfeebled Duke Rollo to appoint an heir,

⁹⁸ Orderic, V, 300-3; VI, 456-7, 492-5.

⁹⁹ GG, 36-7.

¹⁰⁰ Orderic, IV, 160-3, and VI, 396-9, for the later episode; see also Orderic, IV, 212-7.

his barons tell him: ““Foreign peoples are now afflicting us [because of your weakness], and they are wresting from us all that we own. Among ourselves, there is division and private war, and the concord there should be in a kingdom is not preserved, and so the public interest is destroyed and wasted.”” Later, the magnates encourage Duke Richard (I) to marry and produce an heir: ““For we dread the chance of future ruins and harm, and we fear that after the grievous loss of your interment, foreign nations will trample us down for want of a protector and heir.””¹⁰¹ Orderic echoes this anxiety. Discussing the Conqueror’s difficult minority, he reports how the internecine violence ‘caused great disorder and distress in the country, which was deprived of the men it needed for its defence.’¹⁰² Duke William’s anger at Curthose’s first rebellion centres on the corollaries of his defiance, stripping the duchy of its men whilst actively encouraging foreign intervention. ““[Robert] has stirred up civil dissent against me, lured away my young knights ... he incited Frenchmen and Angevins and men of Aquitaine and countless others bitterly against me.””¹⁰³ Furthermore, as described above, the baronial discussions of the 1087 division concentrate on the opportunity presented to predatory external powers by a destructive internal conflict, so the barons decide to acclaim only one brother rather than run this risk.¹⁰⁴

A second problem associated with dynastic conflict, particularly within the ruling family, was that the lines of support were not clear. In the face of an outside invasion, a people united to repel the threat, but internal strife divided a country against itself. The claims of each side must at least be plausible for conflict to take root; neither side was the obvious enemy, and supporters would have had links – of lordship, or even kinship – to both parties, raising difficult choices of allegiance and rendering support more volatile. This is clear from Orderic’s account of Curthose’s first rebellion (once again focusing on the misery brought to the people): ‘The inhabitants of these regions and their neighbours suffered terribly from the disturbances; and now one and now another took up arms either for or against the king ... [they] vacillated, not knowing which side

¹⁰¹ Dudo, pp. 59, 164, and also 96; Dudo, *De moribus*, ed. Lair, pp. 181, 289, 220.

¹⁰² Orderic, III, 88-9.

¹⁰³ Orderic, III, 110-3. On the division between father and son representing the great fear of internal and widespread destruction, see Storelli, ‘Absalon’, pp. 332-3.

¹⁰⁴ Orderic, IV, 120-5. Further corroboration comes from Orderic’s treatment of a dispute within the Burgundian ruling house, as he does not condemn the seizure of power by one claimant, since the deed was achieved bloodlessly: Orderic, VI, 428-31.

they ought to support.’¹⁰⁵ Orderic’s description of the unrest in Rouen in 1090 picks up these themes. A major part of the ‘dire confusion and fierce civil fighting’ was due to rifts between the citizens: many did not know whose side to take, and so ended up fighting ‘against their kinsmen and neighbours at both gates.’¹⁰⁶ The fate of Richard de Montfort, killed in fighting between rival half-brothers, further highlights the problem of participants’ links to both sides. Richard was kin of both factions, so each ‘had cause to mourn for this warlike marcher lord’, and hostilities were halted, albeit temporarily.¹⁰⁷

Civil conflict forced the duke to fight his own subjects; even those whose allegiance he did have were untrustworthy.¹⁰⁸ Orderic considers this problem in a revealing discussion placed during the major warfare of 1118:

At that time King Henry could not support a long siege, because in the general confusion that always occurs in conflicts between kinsmen he was unable to trust his own men. Men who ate with him favoured the cause of his nephew [Clito] and his other enemies and, by prying into his secrets, greatly helped these men. This was indeed a more than civil war, and ties of blood bound together brothers and friends and kinsmen who were fighting on both sides, so that neither wished to harm the other.¹⁰⁹

The danger of dynastic conflict lay in the disloyalty it instilled in men and its high potential for treachery, due to the claim each side had on allegiance, and the divisions that were replicated down the social scale.¹¹⁰

Volatility within Normandy often derived from friction within the ruling house, since internal opposition was most powerful when allied to the legitimising influence of a rival ducal claimant, placing the duke in a difficult position. As holder of the ducal office, he was required to protect the Norman people and Church. Orderic’s hostility towards Curthose was based on his perception of Curthose’s weak control of his barons, who were ravaging the duchy unchecked to the detriment of the Church and the people.

¹⁰⁵ Orderic, II, 358-61.

¹⁰⁶ Orderic, IV, 222-3.

¹⁰⁷ Orderic, IV, 214-7.

¹⁰⁸ A theme particularly prominent in English sources: ASC E, 1118, 1119, 1124; Hyde, p. 311; Simeon of Durham, *Historia regum*, ed. T. Arnold, *Symeonis monachi opera omnia*, II (London, 1885), pp. 274-5; *Gesta Stephani*, 70-1.

¹⁰⁹ Orderic, VI, 200-1.

¹¹⁰ A letter of Pope Gregory VII echoes this, quoting the Biblical maxim, ‘Every kingdom divided against itself will be made desolate, and will fall house upon house.’ *Pope Gregory VII*, 6.13.

So important was this failing in Orderic's eyes, that it deprived Robert of effective ducal power. He had not fulfilled this chief duty of the office, so by 1106 no longer possessed the office, and was duke in name only.¹¹¹ As internal feud was a major threat to the peace of the duchy, the prevention of internal strife was praised. So when Geoffrey de Mortagne, 'considering that his men had ... sown the seeds of terrible troubles for his land by murdering [Gilbert de Laigle]', acted hastily to preclude the eruption of a feud, he is lauded by Orderic for taking 'prudent precautions for the welfare of his subjects and heirs.'¹¹² Indeed, Orderic's perception of Henry's success in suppressing feuding and 'seditious uprisings' in order to protect 'men of peace and monks and the humble people' in Normandy, in direct contrast to Curthose, was the foundation for his acclaim of Henry.¹¹³

If enmity arose within the duke's own household or sphere of influence, a contradiction emerged, pitting the duke's personal obligations against his duty as holder of the ducal office. Recounting a squabble between two crusade leaders, Orderic comments:

When princes quarrel with each other their personal rivalries ruin and oppress their subjects. For when every man seeks his own ends he neglects the common good. Truly the people suffer, endangering all, when their leaders do not help each other. So the pilgrims to Jerusalem were much hindered by the private quarrels of their princes.¹¹⁴

Praising one of the leaders, Orderic adds: 'He put God's cause above his own will or advantage. Indeed when princes conquer themselves they have great power for good.'¹¹⁵ The message is clear. The first duty of a leader was to his people, not to himself. Dudo makes reference to the notion of the *res publica*, when Rollo's nobles equate 'division and personal conflict' (*divortium atque duellum*) with the destruction of the 'public

¹¹¹ For the best example, Orderic, V, 300-3. See below for discussion of this argument.

¹¹² Orderic, IV, 200-3.

¹¹³ Orderic, VI, 98-9.

¹¹⁴ Orderic, V, 140-3.

¹¹⁵ Orderic, V, 142-3. Much of this book is based on the *Historia Ierosolimitana* of Baudry of Bourgueil, which in turn derived much from the *Gesta Francorum*. Orderic did engage with the text, abbreviating and adapting Baudry's material, but these short passages are reproduced nearly verbatim – he clearly saw the notions expressed here important enough to be inserted almost exactly as he found them. The corresponding section of the *Gesta Francorum* contains no such ponderings. Baudry of Bourgueil, *Historia Ierosolimitana*, in *RHC Occ.* IV, pp. 87-9; *Gesta Francorum et aliorum Hierosolimitanorum*, ed. and tr. R. Hill (Oxford, 1972), 78-82. Chibnall, 'Introduction', in Orderic V, pp. xiii-xix, highlights the similarities in style and moral outlook between Orderic and Baudry.

interest' (*publica res*), phrases also used by Orderic.¹¹⁶ The theme emerges just as clearly in Orderic's rebuke of the duplicitous messengers whose efforts prolonged the discord between Curthose and Henry in 1101: 'The treacherous confederates hoped for war rather than peace and, because they were more concerned with their private interests than with the common good [*privatae quam publicae commoditati*], cunning messengers twisted words and sowed seeds of dispute rather than concord between the brothers.'¹¹⁷

Conflict within the ruling family, particularly over the dukedom itself, was therefore not a private or individual concern.¹¹⁸ But disputes between ducal kin-members, by their very definition, involved a breach of the personal bond of kinship, adding an individual dimension to the situation, alongside its major implications for Normandy as a whole. In such circumstances, the duke's paramount loyalty to the duchy required him to put his individual and familial obligations aside, and confront the disturber of the peace, whomsoever he may be. Indeed, this compulsion was particularly pressing given that opposition from within the ruling family was likely to be especially dangerous. William of Poitiers considers the affront to Normandy the greater of the two *injuriae* done to Duke William II by William of Arques' rebellion: 'For while [Duke William] was hurrying to avenge the insult to himself, news of the harm done to his province drove him on faster still.'¹¹⁹ Later, he praises the duke for not being 'misled by carnal affection' and letting his relatives off lightly, but fairly judging and punishing his uncle, Archbishop Malger, for his wrongdoing.¹²⁰ A speech of the Conqueror advocating the arrest of his brother, Bishop Odo, as imagined by Orderic, develops these themes. William, having contrasted his own activities with Odo's – the one "labouring for the common good", the other oppressing and draining the kingdom to sate his own greed – pronounces: "Harmful ambition should always be checked and it is never right to spare

¹¹⁶ Dudo, p. 59; Dudo, *De moribus*, ed. Lair, p. 181. On the *res publica* in the *Ecclesiastical History*, see G. Davy, 'Autour de la restauration de l'ordre: les justifications juridiques de la bataille de Tinchebray dans l'*Histoire Ecclésiastique* d'Orderic Vital', in Gazeau and Green, pp. 21-34, at p. 23 and references; on these notions in the early twelfth-century Anglo-Norman realm, S. N. Vaughan, 'Robert of Meulan and raison d'état in the Anglo-Norman state, 1093-1118', *Albion* 10 (1978), 352-73.

¹¹⁷ Orderic, V, 318-9.

¹¹⁸ On the public and the private in the early to high medieval period, problematic terms which are not entirely appropriate to Normandy in this period but which do reach some important underlying notions, see J. L. Nelson, 'The problematic in the private', *Social History* 15 (1990), 355-64, at 363-4, and Althoff, *Family*, pp. 1-22.

¹¹⁹ GG, 36-7.

¹²⁰ GG, 86-9.

one man against the public interest [*ad detrimentum rei publicae*] through any partiality [*pro aliquo favore*].”¹²¹ This, then, justified the engagement in kin conflict: by acting against a hostile faction, regardless of its identity, the duke was fulfilling the principal duty of office, sacrificing his own interests and individual ties on behalf of the duchy.

Representations of Tinchebray

The battle of Tinchebray in 1106 saw the most dramatic expression of dynastic conflict in Normandy in these years.¹²² A superficial reading of the sources, particularly of Orderic, reveals a certain disquiet, distaste even, at the fraternal clash of arms.¹²³ He recounts the attempted mediation before the battle:

Brothers and kinsfolk were in arms on different sides; many of them made ready to wound each other ... Several men of religion tried to prevent this terrible disaster, horrified at the prospect of brother shedding the blood of brother. Vitalis the hermit, the most venerable of them all, was the most fervent mediator between the warring brothers and boldly forbade them to fight hand to hand, for fear that they might imitate the crime of the sons of Oedipus, hateful to all ages, and might through their own fault suffer the dire and dreadful fate of Eteocles and Polynices.¹²⁴

After the battle, Robert de Bellême attempts to drum up support for the deposed duke. Appealing to Helias of Maine, he explains Henry’s wrong: “I need your aid now, because the world is upside down. A younger brother has rebelled against an elder, a servant has conquered his master in war and thrown him into chains.”¹²⁵ There is a sense in Orderic’s narrative that he protests too much. Not only does he devote a large chunk of narrative to the 1106 campaign and battle, he also foreshadows its advent and develops themes important to Tinchebray in prior episodes (such as the hermit’s prophecy of Curthose’s failed rule, and Bishop Serlo’s 1105 sermon), and returns again to the subject of Tinchebray when recounting the Church council of Reims and the

¹²¹ Orderic, IV, 40-3. This theme is considered further in chapter three, pp. 111-6.

¹²² On the battle, see the collected articles in Gazeau and Green.

¹²³ Contemporary Anglo-Norman and English sources offer little comment, or focus on the financial impact of Henry’s Norman campaigns on England. Only Henry of Huntingdon and William of Malmesbury offer fuller treatments; neither criticise Henry. The battle attracted little comment outside the Anglo-Norman domain; as E. M. C. van Houts, ‘Les sources de la bataille de Tinchebray’, in Gazeau and Green, pp. 61-70, explains, European historians saw the episode as a local affair, paying more attention to the simultaneous happenings in the Holy Roman Empire.

¹²⁴ Orderic, VI, 86-7. On Vitalis, see Walker, ‘Vital de Savigny’.

¹²⁵ Orderic, VI, 94-5.

meeting between the pope and King Henry at Gisors, both in 1119.¹²⁶ Of course, the battle was a major event in Normandy, at the time and from a later perspective. In the absence of any other contemporary Norman history, there is nothing with which to compare the breadth and depth of Orderic's treatment. Nevertheless, the impression remains that Orderic's prolonged treatment of the event sought to justify the manner in which Henry had seized Normandy from his brother.¹²⁷ Furthermore, Orderic made no mention of Tinchebray in the *Gesta Normannorum Ducum*, choosing only to interpolate the account up to 1087 rather than extending it to the present, further suggesting his unease at the battle. This was partly because, as van Houts suggests, the political situation was not entirely resolved when Orderic wrote (c. 1109-1113), and Curthose could yet have been restored to ducal rule.¹²⁸ Yet that Orderic thought the possibility slight is shown by the major changes he introduced to the *Gesta*'s treatment of Curthose elsewhere. Orderic's failure to extend the *Gesta*'s narrative to cover 1106 does suggest that he considered the struggle over the ducal office unfitting for inclusion among the great deeds of the Norman dukes.¹²⁹

Comparable situations also suggest Orderic's disquiet. He rebukes two other younger brothers for usurping elder brothers' positions of power. Fulk le Réchin is perfidious, and Reginald de Grancey 'suffered in [his brother's] dungeon the punishment he deserved for his evil deeds.'¹³⁰ Furthermore, Orderic never gave Henry the ducal title during Robert's lifetime, but instead accorded it to Curthose until his death – implicitly recognising Henry's lack of hereditary claim on the duchy.¹³¹ Although Henry seems to have ruled the duchy as king, he did appear as *dux Normannorum* in beneficiary-drafted charters soon after the battle (such as a document of Saint-Amand around 1107), and after 1120 (almost certainly linked to William Aetheling's death), he took on the ducal

¹²⁶ Orderic, III, 104-9; VI, 60-5; VI, 256-9; VI, 282-91.

¹²⁷ On Henry's struggle, as a usurper, to secure mastery over the duchy, see J. A. Green, 'Le gouvernement d'Henri I^{er} Beauclerc en Normandie', in Bouet and Gazeau, *La Normandie*, pp. 61-73.

¹²⁸ Van Houts, 'Introduction', *GND*, I, p. lxxv; see also van Houts, 'Sources', p. 64.

¹²⁹ For a detailed analysis of Orderic's changes regarding Robert in the *GND*, see Garnett, 'Curthose', 5-13. Garnett suggests that Orderic purposefully left dealing with Robert to his own history. For comparison, we might also note that Orderic avoided reference to Curthose's defeat of his father at Gerberoy in 1079 in the *Ecclesiastical History*, probably because this episode contradicted Orderic's view of the hapless Robert and the right order of father-son relations.

¹³⁰ Above, n. 33 on Fulk; Orderic, VI, 44-5.

¹³¹ Orderic, VI, 412-3, 440-1. Garnett, 'Curthose', 49-51, also notes that Orderic never described Henry as in possession of Normandy, to avoid drawing attention to Henry's lack of titular claim.

title himself.¹³² In the face of all this evidence, Orderic's refusal to grant Henry the title until the last year of his life is striking.

Other Norman accounts give little consideration to the familial dimension of the warfare. Unsurprisingly, none of the Norman annals express opinions about the legitimacy of the fraternal discord.¹³³ More interestingly, nor does Robert of Torigni show any unease regarding Henry's actions, in either his own chronicle or his continuation of the *Gesta Normannorum Ducum*. Instead, in the latter, blame is squarely placed on Curthose, whose ineffective ducal rule had forced Henry's intervention.¹³⁴ Certainly considerable time had elapsed between the battle and Torigni's account, perhaps giving him a detachment from the events of 1106; he probably also deemed it inappropriate to criticise the mode of Henry's succession to the ducal line in the *Gesta* of the very same dukes. Yet this restriction of genre did not apply to his own chronicle, but again the fault is attributed to Curthose, this time due to his refusal in 1099 of the throne of Jerusalem.¹³⁵

Wace offers a rather downbeat account of the battle, not particularly favourable towards Henry. Importantly (as mentioned above), Wace's foremost gripe related to the breach of lordship, rather than kinship, inherent in Henry's actions.¹³⁶ There is also an indication in Orderic's account that it was the action against his lord, rather than his brother, which weighed more heavily against Henry. In the dialogue with Helias of Maine, this is the second of two reasons Robert de Bellême gives for the injustice of Henry's deed; placing it second may suggest its greater significance: "[Henry] has

¹³² ADSM, 55 H 7, f. 260v. See Garnett, 'Curthose', 40-52, and n. 253 at 50, for further references to Henry as duke, which Garnett interprets as reflecting 'an initial period of indecision'; Chibnall, *World*, pp. 189-90; Green, 'Gouvernement', pp. 64-5; P. Chaplais, 'The seals and original charters of Henry I', *EHR* 75 (1960), 260-275, at 264-65.

¹³³ The relevant entries, from ten annal collections, are printed at van Houts, 'Sources', pp. 69-70; van Houts, p. 64, also notes that the English annals all refer to Curthose as *comes* rather than *dux*, perhaps to downgrade him.

¹³⁴ *GND*, II, 220-3.

¹³⁵ RT, 1106. Robert follows Henry of Huntingdon in this.

¹³⁶ Wace, *RR*, pp. 219-20; possibly the criticism of kin discord made earlier (particularly pp. 208-9) was intended to be remembered here too. See F. Le Saux, *A Companion to Wace* (Woodbridge, 2008), p. 268. P. Damian-Grint, 'Robert Courteuse et Henri Beauclerc, frères ennemis dans les *estoires* de Wace et de Benoît', in Gazeau and Green, pp. 79-92, argues that Wace depicted Curthose as the epic hero in his *gesta*-style work, aiming to prove his moral superiority to Henry.

robbed [Curthose] of his ancestral inheritance and, as a perjured vassal, has taken his lord's rights into his own hand.'"¹³⁷

The picture of Tinchebray in the Norman sources is therefore mixed, but does reveal some anxiety. What emerges across the board, however, is the importance of Henry's victory in 1106. This perception relied heavily on the hindsight with which Orderic, Robert of Torigni, and others were shaping their narratives. Regardless of how much stability or harmony Henry had actually brought to Normandy in the years after Tinchebray – which is certainly not as clear as Orderic in particular suggests – he was seen as the great peace-bringer and saviour of Normandy, and Tinchebray marked a major turning point in the fortunes of Normandy. Henry's victory and his subsequent (perceived) success as duke demonstrated divine favour for his rule, while Curthose's fate revealed God's displeasure at his ducal tenure. In Orderic's eyes, Curthose's neglect of the duties of rulership meant that he was not worthy of the duchy; Henry simply applied the necessary earthly touch to depose him, thereby executing God's will. With a certain circularity, the very fact of events meant that the manner in which Henry had claimed the duchy was acceptable to God; had it been unacceptable, the events would not have unfolded as they did, since all life followed a divinely-ordained pattern. There remained some need to justify Henry's actions because the happenings did contravene norms of kinship. The duty of rulership is therefore shown to be more important than the personal bonds of kinship: Henry's conquest is acclaimed as necessary for the wider Norman good, and he proves his worth as duke by sacrificing his own interests – concord with his brother – for the people and Church of his patrimonial land.¹³⁸

¹³⁷ Orderic, VI, 94-5. Chibnall seems to have interpreted this as the sense, prefixing the sentence with 'moreover', as a translation of *quoque*. King Louis, complaining to the pope at the council of Reims in 1119, also notes that Robert was both Henry's brother and lord: Orderic, VI, 256-7. See also Henry's letter to Anselm after the battle, *Letters of Saint Anselm of Canterbury*, tr. W. Fröhlich (3 vols; Kalamazoo, 1990-94), 3, 401 (402 for Anselm's reply), in which he attributed his success to 'the gift of divine providence' rather than to any doing of his own; van Houts, 'Sources', p. 63, suggests that this implied that Henry had doubts about his conduct, but we should remember that such missives were formulaic, and Henry no doubt appreciated that a little humility would be appreciated by Anselm, with whom he had only recently reconciled.

¹³⁸ My interpretation is close to that offered in Davy, 'Justifications', who expounds the intellectual and juridical ideas underlying Orderic's approach. Garnett, 'Curthose', plausibly suggests that Orderic's portrayal of Curthose as duke in name only reflected the official line taken by Henry and his supporters after 1106, who wished to cast Robert's rule as a nineteen-year interlude.

Given that the *Ecclesiastical History* was written with the duke's eventual deposition in mind, Orderic is concerned to show the popular suffering resulting from Curthose's non-rule in the build-up to the battle (and earlier).¹³⁹ The narrative is scattered with passages lamenting the suffering of Normandy. One of the most dramatic comes from Bishop Serlo of Sées' Easter sermon on Henry's arrival for another summer of campaigning in 1105:

“All Christians should mourn in their hearts to see the Church trodden underfoot and the wretched people destroyed ... all Normandy, dominated by godless bandits, is without a true ruler ... [Robert] does not truly hold Normandy, nor does he govern the people as a duke should, leading them along the path of righteousness ... So, when the head is sick the whole body is afflicted; when the ruler is foolish the whole province is in danger and the wretched people suffer utter deprivation.”¹⁴⁰

Despite the hyperbole, Orderic was not simply employing this topos as a convenient device; he seems to have felt deeply the widespread woe, not surprisingly as he himself had lived through these years and his own monastery had suffered depredations. Other sources also make clear that this was a time of hardship for the Norman people and Church (although how much resulted from Curthose's weak rule, and how much from the disruption of Henry's annual invasions, is questionable). Serlo of Bayeux was an eyewitness to the fall of Bayeux in 1105, and his poem gives a strong and graphic sense of the town's travails, while the sense of the relief at the end of the warfare in the Fécamp priest's description of Tinchebray is palpable.¹⁴¹

The suffering of the people, according to Orderic's representation, necessitated Henry's intervention in Norman affairs. He was not acting selfishly, but selflessly since, by taking up arms against Robert, Henry was foregoing his obligations to his brother and indeed risking his own life for the wider good of the Norman people and Church, by whom he had been invited into the duchy. Henry expresses this to Robert before the battle:

“I have not come here, my brother, out of greed for any worldly lordship, nor do I aim at depriving you of the rights of your duchy; but

¹³⁹ See Bickford Smith, *Orderic Vitalis*, part three, particularly pp. 224-35, on the narrative's build-up to 1106.

¹⁴⁰ Orderic, VI, 60-5.

¹⁴¹ Serlo of Bayeux, *Poems, The Anglo-Latin Satirical Poets and Epigrammatists of the Twelfth Century*, II, ed. T. Wright (London, 1872), pp. 241-51; see also E. M. C. van Houts, 'Latin poetry and the Anglo-Norman court 1066-1135: the *Carmen de Hastingae proelio*', *JMH* 15 (1989), 39-62, at 44-5. For the priest's letter, 'Description of the battle of Tinchebrai given by a priest of Fécamp', *EHD* II, p. 304; see van Houts, 'Sources', pp. 66-7, for the most recent identification of the letter's sender and recipient.

in response to the tearful petitions of the poor I wish to help the Church of God ... I am fired by the zeal of God, and ask only to lay down my life for the safety of my brothers and the people of my beloved country ... I am motivated not by covetousness, but by goodwill.”

Henry then proves this by proposing a division of the duchy between himself and his brother, in which he would take on all the business of government, allowing Robert a life of luxury.¹⁴² Still Henry was searching for peace, in the face of Robert’s obstinacy, again subordinating his own interests for the common good. As it becomes clear that battle is unavoidable, Orderic introduces the theme of necessity. Drawing on the canonical adage, *necessitas non habet legem*, which was certainly current and probably familiar in the early twelfth century, it is shown that the wrong of fraternal warfare is worth committing for the wider good. ‘The king hardened his heart, persisted in the siege, and embarked on a more than civil war for the sake of future peace.’¹⁴³ The idea that necessity is not bound by normal legal and social limits of behaviour is captured in the centrepiece of Orderic’s discourse, in the response of Helias of Maine to Robert de Bellême’s pro-ducal exhortations:

“If indeed [Henry] has fought against his elder brother and lord, as you assert, he was driven to it by the most urgent necessity, in response to the invitation and prayers of churchmen who were wretchedly oppressed by reprobates. Indeed, as the popular saying goes, ‘wrong must be done to put an end to a worse wrong’ ... One battle has been fought between two brothers for the purpose of putting an end to perpetual wars, which drenched the earth daily with the blood of its sons.”¹⁴⁴

This is perhaps the clearest statement Orderic gives of his, and probably the broader perception of familial conflict: acceptable when rationalised by a greater need. These arguments are echoed elsewhere. In 1105, Bishop Serlo had told Henry to “‘be angry to some purpose’” (of course, anger was another sin which at times could be legitimate, even necessary), and “‘sin not by taking up arms not for lust of earthly power but for the defence of your country.’”¹⁴⁵ Henry later justified his conduct to Pope Calixtus II by invoking these same ideas, telling the pope how he had “‘endeavoured to use the office laid on me by heaven for the general good’”, and fought “‘for the protection of my native land’”, where “‘with the help of God who knows the good intent of my

¹⁴² Orderic, VI, 86-7.

¹⁴³ Orderic, VI, 84-5; see Davy, ‘Justifications’, pp. 29-32, on necessity.

¹⁴⁴ Orderic, VI, 94-7.

¹⁴⁵ Orderic, VI, 62-5; R. E. Barton, “‘Zealous anger’ and the renegotiation of aristocratic relationships in eleventh- and twelfth-century France”, in B. H. Rosenwein, ed., *Anger’s Past: the Social Uses of an Emotion in the Middle Ages* (Ithaca, 1998), pp. 153-70.

endeavours” he tasted victory.¹⁴⁶ Calixtus was won over, perhaps rather too easily; only a few weeks earlier at Reims, the opposition to Henry had been so vehement that the royal defence had been drowned out by a volley of abuse.¹⁴⁷

Much of Orderic’s narrative up to this point had shown that Curthose was a bad duke as he had neglected his duties of office – primarily guaranteeing the *res publica* – and instead had spent his time pursuing his own ends, surrendering control of the duchy to tyrannical and ruthless villains who oppressed the country. The people had been forced to suffer for Robert’s lack of public duty, upsetting the equilibrium: only by Henry’s sacrifice of his personal interests – his ties to his brother – for the wider good was the balance between common and individual, or public and private, righted. Family conflict, encapsulated by Tinchebray, was sometimes necessary.¹⁴⁸

¹⁴⁶ Orderic, VI, 284-7.

¹⁴⁷ On Reims, Orderic, VI, 258-9. William of Malmesbury suggests that the pope was also influenced by ‘rich gifts’: WM, *GRA*, 734-5. For the suggestion that Calixtus’ cardinals were unhappy with his lenient treatment of Henry, S. B. Hicks, ‘The Anglo-papal bargain of 1125: the legatine mission of John of Crema’, *Albion* 8 (1976), 301-10, at 307.

¹⁴⁸ Nor were these views limited to Orderic; William of Malmesbury makes a very similar argument for 1106: WM, *GRA*, 720-5.

Chapter Two

The emergence of ducal family conflict

“Which of my ancestors from the time of Rollo ever had to endure such hostility from any child of his as I do? Look at William, the son of Rollo the Great, and the three Richards, dukes of Normandy, and my lord father Robert, and you will see how faithfully sons served their fathers up to the hour of death.”¹

Duke William’s words during a tirade against his rebellious eldest son and heir Robert Curthose, as imagined by Orderic, introduce the theme of the next two chapters: conflict within the Norman ducal family. This chapter focuses on the causes of strife, and the following chapter discusses the role of conflict in Norman politics. I contend that the identifiable themes and patterns which emerge from dissension within the ruling family suggest that such disputes were a relatively frequent and accepted part of the Norman political world, particularly after the conquest of England.

I argue that disputed rule and succession of the duchy formed the pretext for opposition to ducal authority by a kinsman, but disputes were often disguised struggles over land, wealth and influence. This chapter is divided into three sections to make this argument. First, I consider the role of Norman succession custom, and the disputed claims which arose from it, in the emergence of internal discord. Second, I show the primary focus of challenges was ducal resources and their allocation, with conflict often stemming from difficulties about how to provide both for expectant heirs and for non-inheriting kinsmen. And third, I ponder how these two elements were often fused, as familial aggressors were able to cloak attempts to extract territorial, monetary or political concessions from the duke in the legitimising garb of a challenge to Norman rule and succession.

Episodes of conflict

First, it is worth setting out the episodes to be considered, grouped for convenience by broad family relationship. There are two main instances of discord between parents and offspring. Robert Curthose, eldest son of William the Conqueror, rebelled against his father on two occasions. He broke from the ducal household in late 1077 or early 1078

¹ Orderic, III, 112-3.

with a retinue of supporters, and undertook raids against the duchy. Robert defeated the Conqueror at Gerberoy in January 1079, but in 1080 father and son were reconciled and Robert returned to the ducal court. In early 1084, however, Robert again exiled himself from the realm, remaining peacefully abroad until William's death in September 1087.²

Henry I's quarrel with his daughter, the Empress Matilda, and her husband, Geoffrey of Anjou, centred on the possession of castles, which had significant implications given her status as heir.³ In 1134, Matilda and Geoffrey apparently demanded the delivery of Matilda's dowry, including a number of castles. They may have also requested that Henry grant custody of all the castles of England and Normandy, thereby paving the way for the succession. Henry's refusal was met with violent retaliation by Geoffrey, and the pair were still in dispute with the king- duke when he died in December 1135.⁴

Fraternal conflict is a recurrent feature of the Norman duchy during this period. In 1026 or 1027, Robert, younger brother of Richard III, rebelled against the new duke, occupying Falaise. After a siege, the quarrel was patched up, and Robert succeeded his brother in August 1027 after the latter's death.⁵

The protracted discord between the three sons of the Conqueror, from Duke William's death in 1087 to the overthrow and imprisonment of Duke Robert II in 1106, provides the best known example of Norman fraternal conflict. The first clash, in 1088, saw a failed rebellion in England which aimed to replace Rufus with Robert on the throne. Three years later, Rufus invaded Normandy, but was soon reconciled with Duke Robert, and the two agreed a treaty. Henry had been shifting allegiance, but went on the offensive at this new alliance between his elder brothers. Rufus and Curthose soon

² ASC D, 1079, E, 1079; Orderic, II, 356-61, III, 96-115; WM, *GRA*, 476-9, 502-3, 700-3; HH, *HA*, 398-9; JW, 30-3; *GND* (RT), II, 194-5; Hyde, p. 297.

³ Henry also quarrelled with an illegitimate daughter, Juliana, and her husband, Eustace de Breteuil, in 1119, after they had laid claim to the ducal castle of Ivry. Conflict exploded when Henry had the two hostage daughters of Eustace and Juliana mutilated, in response to Eustace's mutilation of his child hostage; after a siege of Breteuil and Juliana's failed assassination attempt on her father, the parties were reconciled: Orderic, VI, 210-5, 278-9; *GND* (RT), II, 230-1. However, I have not taken this dispute into account: Juliana's illegitimacy rendered her a minor player in the ruling family; the claim to Ivry was based upon Eustace's ancestry; and, as one of the many challenges to Henry's authority during the Clito unrest in 1118-19, the struggle is better seen as an aristocratic rebellion exploiting wider discontent than a true struggle within the ruling dynasty.

⁴ Orderic, VI, 444-5; HH, *HA*, 490-1; WM, *HN*, 24-5; *GND* (RT), II, 264-5; RT, 1135.

⁵ *GND* (WJ), II, 40-1, 45-7; Wace, *RR*, pp. 116-7.

drove Henry out of his stronghold at Mont-Saint-Michel and out of the duchy, confiscating his lands in western Normandy. A somewhat uneasy peace existed between king and duke for the next two years, before Robert renounced the treaty in late 1093, apparently frustrated at Rufus' failure to stick to its terms (specifically, his failure to support the Norman reconquest of Maine). The armed conflict in Normandy reached a stalemate in 1094-95, with Henry, now installed at Domfront, supporting Rufus. Only Robert's decision to join the First Crusade brought the brothers to peace, and in 1096 Robert mortgaged Normandy to Rufus.⁶

The next fraternal engagement came in 1101, after Rufus' death, Henry's accession as king of England, and Robert's return from the Near East. Drawing on strong baronial support, Curthose invaded England to claim the throne. The treaty of Alton brought an end to hostilities this time, but tensions built over the next few years, with periods of peace punctuated by recurrent clashes. Henry campaigned in Normandy every summer from 1104, culminating in his victory at Tinchebray in September 1106. Robert was captured and imprisoned for life, as Henry completed his takeover of the duchy.⁷

Conflict between uncles and nephews was also not uncommon. Robert I may have faced a challenge from his uncle, Archbishop Robert of Rouen, soon after his accession in 1027.⁸ Duke William II later faced hostile defiance from his uncle, William, count of Arques, in 1053-54, defeated when the duke besieged the count in Arques castle, isolating him from his allies and forcing his surrender. William of Arques lost his lands and went into exile.⁹

⁶ ASC E, 1087, 1090, 1091, 1094, 1095, 1096; Eadmer, *History of Recent Events in England*, tr. G. Bosanquet (London, 1964), p. 44; Orderic, IV, 120-35, 146-9, 164-5, 178-83, 220-9, 236-7, 250-9, V, 26-7, 32-5; BR, pp. 36-7; WM, GRA, 542-53, 710-5; HH, HA, 412-23; JW, 48-9, 56-63, 68-71, 70-3, 84-5; GND (RT), II, 202-7, 210-3; Hyde, pp. 298-9, 300; Wace, RR, pp. 197-201.

⁷ ASC E, 1101, 1103, 1104, 1105, 1106, 1126; extracts from the annals of Fécamp, 'Ex chronico Fiscanensi', RHF 12, 1104 (for 1101), p. 777; extracts from the annals of Saint-Taurin d'Evreux, 'Ex chronico S. Taurini Ebroicensis', RHF 12, 1104 (for 1101), p. 777; Eadmer, pp. 132-4, 183, 196-7; Orderic, V, 290-5, 306-23, VI, 12-7, 54-69, 78-99, 282-91; BR, pp. 37-9; WM, GRA, 704-7, 714-25; HH, HA, 448-57; JW, 96-9, 108-11; GND (RT), II, 218-23; RT, 1101, 1103, 1104, 1105, 1106; Hyde, pp. 305-8; Wace, RR, pp. 205-20. See also *Letters of Anselm*, 2, 212, 213, and 3, 396, 414. Specifically on Tinchebray, EHD, II, p. 304.

⁸ GND, II, 48-9. See also Fulbert, *Letters and Poems*, 126.

⁹ GND, II, 102-5; GG, 32-45; Orderic, III, 254-5; WM, GRA, 432-3; Wace, RR, pp. 129-30.

The long-running discord between Henry I and his nephew, William Clito, the only legitimate son of the deposed Duke Robert II, was one of the greatest threats to Henry's reign. Clito's claim to Normandy was advanced through a series of military campaigns, some lasting several years. His cause attracted significant support, both from within and without the duchy, and after the death of Henry's only legitimate son in 1120, his threat took on a very real dimension as the question of the succession was blown open. As count of Flanders from 1127, he was able to call upon increased resources and support to make good his claims, but his death a year later during internal warfare brought the long struggle to an end.¹⁰

Conflict between cousins is represented by the rebellion of Guy of Burgundy against Duke William II. Guy, the son of William's aunt Adeliza and the count of Burgundy, was roughly contemporary with the duke, and had received lands in central Normandy during William's minority. In 1047, Guy led an uprising along with a group of western Norman lords, defeated by William at Val-ès-Dunes. After a possibly quite lengthy siege of Guy's castle at Brionne, the rebellious kinsman was captured, and Guy departed for Burgundy – whether by his own choice or through enforced exile is unclear.¹¹

Dynastic struggles involving ecclesiastical kinsmen present interpretational difficulties. This period straddles the Gregorian reform, which saw attempts to impose an increasingly strict separation of ecclesiastical and temporal authority, but it was a gradual process. Churchmen could hold significant secular power, but could not lay claim to royal or ducal rule. Yet even this was ambiguous: in the obscure struggle (c. 1027) between Archbishop Robert and his nephew Duke Robert I it is not clear whether the archbishop was seeking ducal rule for himself, or simply asserting his legitimate power within the duchy. The fact that the former is even countenanced suggests that it was a distinct possibility. Robert's successor as archbishop of Rouen, Malger, also fell foul of a powerful nephew. Duke William deposed his uncle Malger at the council of Lisieux in 1054, probably because he had supported the rebellion of his brother,

¹⁰ ASC E, 1124, 1127; Orderic, VI, 92-3, 162-7, 184-5, 286-9, 328-31, 358-9, 368-81; HH, HA, 460-7, 476-9, 480-3; HH, DCM, 594-5, 606-7; JW, 182-7; GND, II, 230-3, 237; RT, 1117, 1119, 1127, 1128; Hyde, pp. 308, 320-1.

¹¹ GND, II, 120-3; GG, 8-13 For challenges mounted by more distant ducal kinsmen, see GG, 72-3; GND, II, 126-9, 162-5; Orderic, II, 312-3; Wace, RR, pp. 120-2

William of Arques, and possibly also because he had opposed the duke's recent marriage alliance.¹² Nearly thirty years later, Duke William broke with his half-brother and former staunch ally Odo, bishop of Bayeux and earl of Kent. Details are again hazy, but twelfth-century narrative sources focus on William's objection to Odo's apparent attempt to purchase the papacy. The Conqueror had Odo arrested and imprisoned in late 1082 or early 1083, and only reluctantly released the bishop on his deathbed in 1087.¹³

The framework of conflict: succession and rule

The succession was fundamental to the ruling house, and regularly bred conflict and tension, liable to spill over into violent struggle. As Martindale has argued for twelfth-century western Europe more broadly, 'the system of heredity ... was not so tidily arranged that the problems of political succession could be solved by reference to some body of rules.'¹⁴ Here I shall consider how difficulties relating to the succession gave rise to struggles within the ruling family.

Much has been written on ducal succession in eleventh- and twelfth-century Normandy. Indeed, the very fact that it has attracted so much consideration demonstrates the leeway in ducal inheritance custom in this period, particularly after 1066, but the scholarship has become somewhat mired in intricacies and circular arguments.¹⁵ I shall focus only

¹² *GND* (WJ), II, 130-1; *GG*, 86-9; *GND* (OV), II, 142-3; Orderic, III, 86-7, IV, 84-7; WM, *GRA*, 494-5; Wace, *RR*, pp. 141-2.

¹³ *ASC* E, 1082, 1086; Orderic, IV, 38-45, 96-101; WM, *GRA*, 504-7; HH, *HA*, 400-1; JW, 38-9; Hyde, p. 296; Wace, *RR*, pp. 194-5. See also *Pope Gregory VII*, 9.37, and *Epistolae vagantes of Pope Gregory VII*, ed. and tr. H. E. J. Cowdrey (Oxford, 1972), 53.

¹⁴ Martindale, 'Succession', pp. 20-1.

¹⁵ Searle, *Kinship*, pp. 247-8, pointed out the potential for succession difficulties to provoke major upheavals, arguing that the central problem in eleventh-century Normandy was that neither apanage nor designation of a single heir proved a practicable solution to the problem of the succession, to such an extent that every duke *expected* violent challenges to his rule. Bates, *Normandy*, p. 150, viewed Norman law as a firmer institution, suggesting that ducal succession was theoretically well-established, but, in reality, successions often did not work out as planned, and arrangements were often made on *ad hoc* bases rather than in adherence to well-defined custom. J. Le Patourel, *The Norman Empire* (Oxford, 1976), pp. 179-206, especially 179-190, offered a stricter view as part of his overarching thesis of Anglo-Norman unity, arguing for a firm Norman tradition of indivisible ducal inheritance, and viewing the division of 1087 as deeply uncharacteristic. R. H. C. Davis, 'William of Jumièges, Robert Curthose and the Norman succession', *EHR* 95 (1980), 597-606, at 606, saw a definite progression in Anglo-Norman succession from association, to designation, and finally to a legal acceptance of a fixed hereditary system over the eleventh and twelfth centuries. Further treatments of Norman ducal succession practice exist – notably, on the succession to William the Conqueror in 1087 (see below, n. 57), as the first change of Norman ruler since 1066, while monographs dealing with Norman and Anglo-Norman politics and biographies of the key figures invariably offer a discussion.

on two treatments here. George Garnett has argued that a key factor behind the apparent confusion over ducal succession was the contradiction between aristocratic and ducal inheritance norms in early Normandy. Whereas partition was generally the norm amongst the nobility, the ducal line favoured the succession of one heir to the undivided duchy, meaning that, according to broader contemporary norms, younger sons of the ruling family had legitimate claims which needed to be settled. This contradiction, according to Garnett, was one of the major reasons that rebellion was endemic in the ducal kin in early Normandy.¹⁶ Meanwhile, Emily Tabuteau has highlighted the importance of customary legal constraints on the Norman succession, focusing particularly on the 1087 settlement, to demonstrate the incontrovertible right of the designated, eldest son to the duchy. She also proved the existence of the inheritance-acquisition custom prior to, and independent of, the 1087 succession.¹⁷

What did ducal succession practice look like in eleventh- and early twelfth-century Normandy? The early Norman dukes did not follow their Capetian contemporaries in associating heirs in government and raising them up to the level of co-ruler, but favoured a designation ceremony, usually late on in the duke's life, in which the chosen son was named heir and the assembled Norman baronage swore fealty and performed homage to him.¹⁸ Custom seemingly dictated that the duke chose his eldest son as successor.¹⁹ At the designation ceremonies of 996 and 1026, landed provision was also made for other sons of the duke (as far as we can tell, previous Norman rulers had only had one son), for which they performed homage to the nominated heir. Traditionally the land designated to a younger son as an apanage was the Hiémois, intended to bind him to the inheritance settlement.²⁰ The ducal succession in pre-1066 Normandy seems to have been relatively clear-cut, and the conventional pattern of events fairly well

¹⁶ Garnett, "'Ducal' succession'.

¹⁷ E. Z. Tabuteau, 'The role of law in the succession to Normandy and England', *HSJ* 3 (1991), 141-69.

¹⁸ For descriptions of designation ceremonies, Dudo, pp. 59-60, 77-8, 96-8, 170-2; Dudo, *De moribus*, ed. Lair, pp. 181-2, 201-2, 220-2, 296-8; *GND*, I, 72-3, 86-9, II, 38-41, 78-81. See Garnett, "'Ducal' succession', Tabuteau, 'Role', p. 152, and Bates, *Normandy*, p. 150.

¹⁹ Garnett, "'Ducal' succession', pp. 94-7. On primogeniture in eleventh-century Normandy, see Garnett, "'Ducal' Succession', p. 84; Bates, *Normandy*, pp. 34-5; Searle, *Kinship*, pp. 95-6; Holt, 'Politics and property', 9-11; J. C. Holt, 'Feudal society and the family in early medieval England, II: notions of patrimony', *TRHS* 5th ser. 33 (1983), 193-220, at 211-3.

²⁰ Note that Searle, *Kinship*, pp. 93-7, suggests that both Rollo and William Longsword had other sons, born of Danish women, unacknowledged but to provide their legitimate brothers with support. There is no evidence to confirm this. On the difference between apanage and parage, see Searle, *Kinship*, pp. 143-4, and Garnett, "'Ducal' succession', p. 96. Parage is a slightly later development, used primarily in the context of aristocratic tenure, while apanage technically included reversion to the senior line.

established. After the conquest of England, the practice of succession was complicated, the new political situation creating uncertainty and offering richer spoils to the victor.

Legitimacy of birth became an issue of contention within the Norman succession over this period. The observation is often made that in 1035 an untested bastard son of Robert I, no more than eight years old, became duke of Normandy, yet during the succession crisis which dogged Henry I's last years, little consideration was apparently given to the claim of Henry's illegitimate adult son, the wealthy, capable and popular Robert of Gloucester.²¹ Notions of illegitimacy were ill-defined in the early eleventh century, but a century later, the Gregorian reform, with its promotion of a strict view of Christian marriage, had done much to focus succession purely on sons born in wedlock, and direct the descent of rulership down the patrilineal line. The agreements between Curthose and Rufus in 1091, and Curthose and Henry in 1101, both insist that only a legitimate son of either party would suffice to replace his brother as heir (even though none of the brothers had any legitimate offspring at the point of the respective treaties) – suggesting that this rule was fast establishing itself.

It is not clear how significant or consequential Duke William's illegitimate birth was to contemporaries. Certainly over his lifetime notions of illegitimacy became better defined, but in the early eleventh century ducal extramarital liaisons producing bastard sons were not uncommon. For instance, when Richard III died he left a natural son, Nicholas, who was overlooked for the succession. Maybe Nicholas' monastic dedication explains the inconsistency between 1027 and 1035, but more important were the decisive actions of Robert in 1027 and in 1035, first claiming rule for himself and then designating his own son duke before leaving Normandy.²² Neither historian

²¹ Of the contemporary sources, only *Gesta Stephani*, 12-5, suggests that Robert was considered, and this on poor advice. His illegitimacy counted against him, and his own conviction – that the throne by rights belonged to Matilda's son, to whom he preferred to cede it, rather than 'presumptuously to arrogate [*usurpare*] it to himself' – prevented him from taking any action.

²² Bates, *Normandy*, p. 150, disregards the different circumstances of the successions, and uses the 1027/1035 contrast to argue that succession arrangements were made '*ad hoc* rather than according to any custom'; Garnett, "'Ducal' succession', pp. 107-8, for a view closer to mine, emphasising in particular the importance of the fealty sworn to young William under Duke Robert. It is unclear whether Nicholas was professed before, or after, his father's death. D. C. Douglas, *William the Conqueror* (London, 1964), p. 32, argued that Nicholas was 'relegated' to monastic life on Robert's accession (and also believed he was of legitimate birth), while F. Lifshitz, *The Norman Conquest of Pious Neustria: Historiographic Discourse and Saintly Relics 684-1090* (Toronto, 1995), p. 193, states that Nicholas was 'cheated' of ducal rule in both 1027 and 1035. V. Gazeau, *Normannia monastica: principes normands et*

contemporary with Duke William mentions his illegitimacy. This could indicate that it was not important at the time; conversely, it could also indicate that it *was* important. Garnett suggests that William of Jumièges was ‘twitchy’; certainly, the total avoidance of the subject by both Jumièges and Poitiers is striking.²³ The only possible allusion is the stress that both historians place on the pride of William of Arques and Guy of Burgundy at their high birth – perhaps an implicit contrast to the duke’s ‘low’ birth.²⁴

The suggestion that William’s illegitimacy played a role in provoking the respective rebellions of these ducal kinsmen, and indeed broader discontent, only arises in the twelfth century.²⁵ Certainly, the Conqueror’s bastardy was a safer topic for discussion by then, but it was also of greater contemporary relevance: Orderic’s twelfth-century worldview almost certainly led him to lay greater emphasis on the importance of legitimate birth to the ducal succession than was current.²⁶ The low status of the duke’s maternal family was probably of greater concern than his illegitimacy *per se* in the first half of the eleventh century. The taunts of the duke by rebellious inhabitants of Alençon in 1051 or 1052 were directed not at his bastardy, but at the humble background and occupation of his mother’s family.²⁷ Legitimacy of birth was probably not, therefore, a crucial factor in claim to ducal rule in the early eleventh century. However, William’s low maternal origins, rather than bastardy according to a strict definition of Christian marriage as understood a century later, provided any rebellious kin-members (particularly during the volatile 1030s and 1040s) with further ammunition with which to attack William’s right to ducal rule and to elevate their own candidacy.²⁸

abbés bénédictins, X^e-XII^e siècle (Caen, 2007), pp. 102, 139, 168, 187-9, 247, too believed Robert placed Nicholas in monastic orders after his father’s death to remove him from the succession, and even suggested that Robert was behind the granting of a non-traditional ducal name to Nicholas. However, as Garnett explains, since Nicholas became abbot of Saint-Ouen around 1034, and had spent some time previously at Fécamp, it is likely that he already was a monk at the time of his father’s death.

²³ Garnett, ‘Curthose’, 10.

²⁴ *GND*, II, 102-3, 120-1; *GG*, 32-5.

²⁵ *GND* (OV), II, 94-7; Orderic, III, 254-5; Orderic, IV, 82-5; Hyde, p. 285; Wace, *RR*, pp. 129-37 (who even has Guy claim to be the closest heir).

²⁶ D. Bates, ‘The Conqueror’s adolescence’, *ANS* 25 (2002), 1-18, at 6, 16, and Garnett, ‘“Ducal” succession’, p. 107, for similar arguments.

²⁷ *GND* (OV), II, 124-5; E. M. C. van Houts, ‘The origins of Herleva, mother of William the Conqueror’, *EHR* 101 (1986), 399-404.

²⁸ Malger, archbishop of Rouen, may have tried to undermine William’s recent marriage to Matilda of Flanders by alleging (correctly by contemporary standards) consanguinity; if true, this was perhaps a further attempt to imply William’s illegitimacy, or at least that of any offspring, to the advantage of himself and his brother, particularly given that Malger and William of Arques seem to have been close political allies, and Malger may have been involved in Arques’ rebellion. WM, *GRA*, 494-5.

As eldest son of the reigning duke of Normandy, Robert Curthose's status as heir was self-evident. But the political situation was transformed by the conquest of England. The changed circumstances created grey areas in succession, raising major questions over division or unity, the endowment of one son or many, and the smaller patrimony versus the richer conquest. The protracted discord between the Conqueror and Curthose demonstrates conflict over the workings of the succession in the uncertain post-1066 situation. Who was to take over, and in what capacity (king, duke, or king-duke) upon the Conqueror's death? More importantly, when was the heir's claim to Normandy to be made good in the new political context?

Contemporary and later accounts are unanimous that Robert's rebellion was focused upon his succession claim and status as heir. Although the works of both William of Jumièges and William of Poitiers pre-date Curthose's first break with his father, other contemporary sources provide evidence.²⁹ The *Anglo-Saxon Chronicle* bluntly states that Robert fought his father because 'he would not let him govern his earldom in Normandy which he himself and also King Philip with his consent had given him: and the leading men in the country had sworn him oaths and accepted him as lord.'³⁰ Gregory VII's papal admonition to Robert also picks out the central issue of the inheritance. Gregory reassures Robert that his father possesses his lands 'knowing, however, that he would not live for ever but so manfully pressing forward with this in mind: that he would pass it on to some heir of his own.'³¹

Although Orderic added nothing on Curthose in his revision of the *Gesta*, his account of the breach between the Conqueror and Curthose in the *Historia* is extensive.³² This source is later (the relevant passages were written piecemeal between c. 1114 and c. 1130), and the narrative is slightly confused and definitely imagined in places, but it

²⁹ Although Poitiers' failure to refer to Curthose by name may suggest his work was in progress at the time of Curthose's rebellion: Davis, 'Norman succession', 601. Aird, *Curthose*, p. 6, even suggests that the split in the ducal house was a major reason behind Poitiers' abandonment of his work.

³⁰ ASC D, 1079. DOW, 186-7, confirms that William had previously granted Normandy to Robert, significantly in one of the few phrases of the passage not replicated from the ninth-century *Vita Hludovici imperatoris*, the text's template. For the most recent discussion of this work, see K. Lack, 'The *De obitu Willelmi*: propaganda for the Anglo-Norman succession, 1087-88?', *EHR* 121 (2008), 1417-56.

³¹ *Pope Gregory VII*, 7.27. Gregory also wrote to William and Matilda on the same day (7.25 and 7.26).

³² See chapter one, n. 129.

accurately reflects the key concerns in play.³³ Orderic repeatedly emphasises that the matter of contention between the two was William's unyielding grasp on his lands and refusal to deliver upon his promises to his eldest son. The conflict arose when Robert, having already twice been named heir and received the homage of the Norman aristocracy, asked his father for Maine and Normandy 'as honors that were rightly his'; Robert's younger brothers also believed him to be aspiring to the whole inheritance.³⁴ At one juncture, William instructs him to await a more opportune time, and later declares that what he is asking is impossible: "By Norman strength I conquered England; I hold Normandy by hereditary right, and as long as I live I will not relax my grip on it."³⁵ While the immediate cause of Robert's demands here is his need for resources (see below), he aims to solve this problem by claiming his inheritance, and it is clear that he is seeking an immediate succession to power, not an assurance of his expected succession. This is reinforced in the account by William's response to Robert's continued protestations: "My son, your demands are premature. Do not try to snatch recklessly from your father the power which you ought to receive from him in due time, with the acclamation of the people and the blessing of God, if you continue to deserve it."³⁶

Robert of Torigni echoed this central theme of Curthose's immediate desire for Normandy, and William of Malmesbury and John of Worcester also agree.³⁷ The reconciliation between father and son in late 1079 or early 1080 was marked by another grant of Normandy to Robert, further underlining the centrality of this issue, but Robert's self-imposed exile just a few years later suggests that this was little more than a symbolic gesture, serving only to highlight the future promise of power.³⁸

Robert's legal status in relation to his inheritance lay at the root of the conflict. Probably from birth, Robert had been intended as Duke William's heir. After 1066, his position became more of a vexed question. Robert's standing in the post-Conquest years was

³³ On Orderic's somewhat muddled presentation of relations between the Conqueror and Curthose, see Bickford Smith, *Orderic Vitalis*, pp. 210-5.

³⁴ Orderic, II, 356-9.

³⁵ Orderic, II, 356-7; III, 98-9.

³⁶ Orderic, III, 98-101.

³⁷ *GND*, II, 192-5, 202-3. Note, at the latter reference, Robert of Torigni suggested that Robert sought only Maine immediately. *WM*, *GRA*, 502-3, 700-3; *JW*, 30-1.

³⁸ Orderic, III, 112-3. Davis, 'Norman succession', 603, and F. Barlow, *William Rufus* (London, 1983), pp. 36-8, on Robert's status after his first rebellion.

probably never clear; certainly the sources' statements are difficult to reconcile, and the details are hazy.³⁹ The current received view is that Robert, having already been designated heir to Normandy and Maine, had been granted some vice-regal powers along with his mother in Normandy before Duke William had set out for England in 1066, but then resented his loss of power when his father had resumed ducal government in its entirety after returning in the early- to mid-1070s.⁴⁰ It has even been suggested that Robert was made full duke of Normandy in 1067, though this is unlikely.⁴¹ Unfortunately evidence of the control and receipt of Norman ducal revenues during this period is not forthcoming, nor does numismatic evidence provide any positive indication of Robert's possible ducal rule, although this would be limited as Norman coinage did not bear the name of the duke.⁴² Before 1077, then, Robert had certainly been designated ducal heir, and had experienced a taste of ducal government; his exact role is unclear, and any powers he had enjoyed were tempered by the guiding hand of his mother, and possibly overseen by any of the Conqueror's senior barons present in Normandy.⁴³

According to Orderic – who, although writing several decades years later, has been judged 'the most perceptive analyst of the problem' – Robert's followers focused on his unfulfilled claim to Normandy when goading him into action: "Come now, rise up boldly, claim a share of the realm of England from your father, or at least ask again for the duchy of Normandy, which he has already once granted [*concessit*] you publicly before a great body of magnates."⁴⁴ They speak of "the honour which is rightly yours" (*debitum tibi honorem*), and imply that the Conqueror retains Normandy

³⁹ See Davis, 'Norman succession', for a detailed exposition of the evidence; Davis attempts to reconstruct a timeline of Robert's succession and inheritance, but it remains hypothetical at best.

⁴⁰ Garnett, *England*, pp. 153-85, offers the best discussion, while Tabuteau, 'Role', 148-52, provides strong evidence for Curthose's pre-1066 status. K. Lack, 'Robert Curthose: ineffectual duke or victim of spin?', *HSJ* 20 (2009), 110-140, uses charter as well as chronicle evidence to suggest Robert's independent rule in Normandy after 1066. See also Davis, 'Norman succession'; Aird, *Curthose*, pp. 58-60, 64-6, 68-9; Bates, *Conqueror*, pp. 152, 158; Douglas, *Conqueror*, pp. 183, 236; Barlow, *Rufus*, p. 29. Discussions of the 1087 succession also cover Robert's earlier status; see below, n. 57.

⁴¹ Davis, 'Norman succession', 604; meanwhile Aird, *Curthose*, p. 58, states that in 1066 Robert was 'effectively elevated to the ducal throne'. Tabuteau, 'Role', 149-50, also judges this improbable.

⁴² F. Dumas, 'Personal names on Norman coins of the eleventh-century: an hypothesis', in C. N. L. Brooke, B. H. I. H. Stewart, J. G. Pollard, and T. R. Volk, eds, *Studies in Numismatic Method Presented to Philip Grierson* (Cambridge, 1983), pp. 171-177, at p. 173.

⁴³ From an analysis of charter attestations, Lack, 'Curthose', 120-2, suggests that one of the Conqueror's close advisors was always present in Normandy during the post-Conquest period to supervise the duchy.

⁴⁴ Orderic, III, 96-7. Garnett, *England*, pp. 153-4, 165-6, on the value of Orderic's testimony.

through greed alone. In an argument with his father, Robert reminds his father that he had already granted [*concessit*] him Normandy, asks for his “due dukeship”, and suggests that he should rule Normandy under him, an effective vice-royalty.⁴⁵ Garnett has recently highlighted Orderic’s very definite use of the verb *concedere* here, as Orderic sought to show that Curthose was *not* duke during his father’s lifetime, but had been granted a post-obit anticipation of succession only. This was the Conqueror’s view of the matter, filtered through Orderic, yet his eldest son clearly believed that this designation, along with his governmental role in the years after 1066, justified his demands for greater power.⁴⁶

A clash of expectations is therefore likely. Yet there was no Norman precedent of filial association while the duke was still healthy and active, and certainly later chroniclers do not judge Robert’s claims reasonable or legitimate, blaming poor advice and the rashness of youth.⁴⁷ So why did Robert apparently deem legitimate his request of premature succession to his patrimony? The conquest of England fundamentally affected Norman rule and succession, both practically and theoretically. First, it had necessitated Robert’s early designation, in case of the duke’s death on the expedition of 1066. The only precedent came from William himself, as another Norman heir designated prematurely in case of sudden ducal demise – and he had become duke when that very eventuality came to pass. Second, the expedition and William’s subsequent success in England necessitated the immediate arrangement of a proxy government in Normandy during his absence. For the first time in Norman history, the ducal heir was granted (at least some) power before his accession.⁴⁸ It was therefore the unique circumstances of 1066 that led to Robert being granted at least the expectation of power, and perhaps effective power, in Normandy so early, many years before his father’s death. Third, the acquisition of the large, wealthy realm of England created the real and

⁴⁵ Orderic, III, 98-9. My translation: for *competentem igitur queso michi ducatum prebe*, Chibnall suggests ‘legal control of the duchy’. Forester suggests ‘the dukedom which is my own’: Orderic Vitalis, *Ecclesiastical History of England and Normandy*, tr. T. Forester (4 vols; London, 1853-56), II, p. 171. Le Patourel, *Norman Empire*, pp. 181-2.

⁴⁶ Garnett, ‘Curthose’, 13-30; Garnett, *England*, p. 163, on this difference of opinion.

⁴⁷ Garnett, *England*, p. 157, p. 165; though note Davis, ‘Norman succession’, 605-6, claims that ducal heirs *were* made co-dukes during the lifetime of their father, summarily rejected by Garnett. Orderic, II, 356-61; III, 100-1; V, 282-3; WM, *GRA*, 476-7, 502-3, 700-3.

⁴⁸ Tabuteau, ‘Role’, 149, cites Richard III, elevated to co-rulership with his father Duke Richard II in 1026, as a precedent. But it is not entirely clear what the junior Richard’s status was during this short period, and this situation was different, with the aged Richard coming to the end of his ducal rule and seeking to smooth his son’s path to power.

novel possibility of the division of ducal lands into two independent units, particularly given the natural partition of the Channel. The question of Anglo-Norman unity or division in the post-1066 years has attracted historiographical debate, but the Conqueror seems to have left the English succession an open question, perhaps even until his deathbed.⁴⁹ There was certainly potential for division: younger ducal sons had traditionally received a county or other parcel of land, and Orderic even implies that division of England itself was mooted, as Curthose's followers encourage him to 'claim a share [*partem*] of the realm of England'.⁵⁰ The inheritance-acquisition tenet, allowing free alienation of acquired lands but often in practice permitting the endowment of younger sons, was probably present in some form, and may have been influential.⁵¹ Even though the exact considerations are lost, the new situation after 1066 must have stimulated discussion and wider reflection on the nature of tenure and inheritance.⁵²

At the centre of this uncertainty was Curthose, the acknowledged ducal heir and, indeed, duke-designate of Normandy, whose position in relation to the English inheritance was not clear. By the time William of Jumièges completed the *Gesta* (1070), he seemingly regarded Robert, and not William, as duke, attesting to the confusion in Normandy; Jumièges was hardly an isolated storyteller, but a well-informed chronicler, the closest Normandy had to an official ducal biographer.⁵³ Perhaps Robert considered the Capetian custom of association and co-rulership between eldest son and king a possible arrangement. Maybe Jumièges conceived of an intermediate position for Robert, in which he was (co-)ruler of Normandy but under the authority of his father as king, as is also suggested by the terms Orderic places in Robert's mouth: "'just as you rule over the kingdom of England, I, under you [*tibi... subiectus*], may rule over the duchy of Normandy.'" Clearly, heir and historian both badly mistook William's intentions.⁵⁴

Despite the clarity of Robert's position as Norman heir, then, complications which had arisen for the ducal inheritance from the conquest of England placed his claim at the centre of his dispute with his father. 1066 had both practical ramifications, in the

⁴⁹ Garnett, *England*, pp. 174, 176, 183.

⁵⁰ Orderic, III, 96-7.

⁵¹ Discussed below, pp. 68-9, and n. 63.

⁵² J. G. H. Hudson, 'Court cases and legal arguments in England, c. 1066-1166', *TRHS* 6th ser. 10 (2000), 91-115, at 99.

⁵³ Davis, 'Norman succession'; Garnett, *England*, pp. 156-7.

⁵⁴ Orderic, III, 98-9; Garnett, 'Curthose', 2-3.

granting of power to Robert before his father's time was up, and theoretical implications for current rulership and future succession.⁵⁵ Inconsistent expectations of what the designation had entailed between father and son, and the newly ambiguous political situation, imbued Robert's request in 1077 with some legitimacy. The strong baronial support that Robert attracted suggests that the issue was not clear-cut, and he was able to launch a potentially devastating rebellion from the springboard of a reasonable claim to immediate power. This is true of Robert's second break too: William's appeasement of his eldest son after 1080 apparently only consisted of repeat designations, so the fundamental problem remained unresolved.⁵⁶

The prolonged fraternal discord of 1087-1106 was borne from the disputed succession to the Conqueror in 1087, which in turn derived its structural complication from the acquisition of England, and its individual complication through estrangement of father and son. The competing norms underlying succession claims in this period are difficult to unpick. The bequest of 1087 has been the subject of much debate, because of the number and obscurity of the issues involved.⁵⁷ The claims of the Conqueror's sons focused on three areas: order of birth; norms of landholding and inheritance; and previous designation or nomination, with associated fealty. The post-1066 conditions,

⁵⁵ Very similar arguments, in rather more detail, are made in Garnett, *England*, pp. 166-78.

⁵⁶ *Ibid.*, pp. 166-7. Bickford Smith, *Orderic Vitalis*, pp. 311-2, has taken this one step further, and argued that by failing to hand Normandy over to Robert after he had been designated, William fatally undermined the concept of designation – leading to a blurring of legitimate succession and greater opportunities for dynastic conflict in the future.

⁵⁷ J. Le Patourel, 'The Norman succession, 996-1135', *EHR* 86 (1971), 225-50, and Le Patourel, *Norman Empire*, pp. 179-87, argues for the traditional indivisibility of the Norman realm, no matter what lands were added to it, and that the 1087 settlement was therefore highly unusual; he suggests that the Conqueror initially intended the entire inheritance to go to Robert, and then to Rufus, before making a last minute division on his deathbed. J. S. Beckerman, 'Succession in Normandy, 1087, and England, 1066: the role of testamentary custom', *Speculum* 47 (1972), 258-60, offers a different view, arguing that the Conqueror's claim to England in 1066 on the basis of a post-obit gift from Edward the Confessor bound him to abide by his earlier designation of Robert as his successor in Normandy at least. In contemporaneous articles, B. English, 'William the Conqueror and the Anglo-Norman succession', *HR* 64 (1991), 221-36, and Tabuteau, 'Role', argue that Robert had long been the Conqueror's recognised successor in Normandy thanks to his binding designation, but that William had more freedom when it came to England. English suggests that he left the question open but backed Rufus, while Tabuteau argues that William was able to utilise the inheritance-acquisition custom to secure Rufus' succession – thus showing how he was constrained by one rule (for Normandy), but enabled by another (for England). Garnett, *England*, pp. 175-6, follows Tabuteau, and also notes that the Conqueror, free to do with England as he pleased, could have equally granted it to Robert as to Rufus. Strevett, 'Civil war', 169-71, suggests that the Conqueror had for a long time doubted the feasibility of the whole inheritance going to one son, and had selected Rufus as his chosen successor. The relevant biographies also offer discussions: see Barlow, *Rufus*, pp. 40-50; and Aird, *Curthose*, pp. 99-103.

though, meant that practical action often overtook theoretical claims of legitimacy in the struggle for Anglo-Norman power.

In practice, primogeniture determined the unitary inheritance of Normandy; Curthose could therefore lay claim to the English inheritance, too, as England had been conquered by his father and he was his father's heir. Interestingly, none of the sources strictly contemporary with the succession wrangles of 1087-88, or 1100-1 (the *Anglo-Saxon Chronicle*, Eadmer and the *De obitu Willelmi*), mention seniority of birth as a determining factor – probably because it was the assumed norm, but maybe because the candidate with the best claim by this measure lost out.⁵⁸ It is mentioned in Robert's favour and Rufus' disfavour in 1088 by the slightly later Orderic, and in 1100 as an argument for Robert's succession to England, and again in 1106 as a reason against his deposition as duke of Normandy.⁵⁹ Chibnall has suggested that Orderic's back-projection of the twelfth-century assumption of primogeniture led him to overemphasise the role of birth order in the royal / ducal succession, but, to Orderic, the issue of seniority is in fact subordinated to that of fealty. Robert of Torigni, writing in the *Gesta*, conceived of Curthose having the strongest claim to England in both 1087 and 1100, presumably on the basis of primogeniture, while Suger, writing only shortly after Torigni (in the 1140s) appeared to share this assumption when he commented that Curthose was 'disinherited' (*exheredato*).⁶⁰ The later Wace imbues the argument of primogeniture with greater authority, stating several times at both junctures that Robert had the better right to the entire Anglo-Norman inheritance.⁶¹ This testimony dates from a period when primogeniture of royal succession was well established, but it does build on earlier hints of a strong claim based upon seniority of birth. Some chroniclers mentioned Henry's porphyrogeniture – having been born 'in the purple', i.e. of a reigning king – in his favour for the English throne in 1100, but its significance is doubtful, and it certainly would not lend weight to his Norman claims.⁶²

⁵⁸ Note also that C. W. Hollister, *Henry I*, ed. and compl. A. C. Frost (New Haven, 2001), p. 105, argued that primogeniture was still inconclusive as a determinant of royal succession in England by 1100.

⁵⁹ Orderic, IV, 122-5; V, 290-1, 318-9; VI, 94-5.

⁶⁰ *GND*, II, 204-5, 218-21; Suger, p. 25; Suger, *Vie de Louis VI*, ed. Waquet, p. 6.

⁶¹ Wace, *RR*, pp. 197, 208, 211, 213. Walter Map, 470-1, echoes this, judging Henry's accession 'faulty' (*viciosum*).

⁶² *BR*, p. 37; Orderic, V, 292-3; *WM*, *GRA*, 708-11.

Whether land was inherited or acquired by its current holder influenced succession patterns in Normandy, with the patrimony usually going to the eldest son, while any acquisitions – gained by conquest, purchase or other means – were for the landholder to disburse as he pleased, often being granted to the second son. This was a further norm influencing the 1087 succession and, arguably (albeit more indirectly), the 1100 settlement, but there are problems. First, it is unclear just how strong the custom was in 1087, as its emergence and establishment are difficult to date. Second, all other examples are from the aristocracy, but norms did not necessarily apply to the ducal line in the same manner. Aristocratic succession differed from ducal succession: aristocratic inheritances were smaller, did not involve an indivisible ruling office, and were more commonly divided between heirs. Furthermore, aristocratic instances after 1066 may have been influenced by the Conquest, and the custom may have been reinforced by the Conqueror's bequest in 1087.⁶³ However, Tabuteau has proved the existence of the custom apart from the 1087 settlement, and it was probably at least known in pre-1066 Normandy.⁶⁴ Third, the specific considerations of the 1087 division make the applicability of the custom even more difficult to evaluate, as the acquisition was significantly larger and more valuable than the patrimony. This was inconsistent with the principle behind the custom, to endow younger sons with some – any – land, to make up for the fact that the patrimony, the lion's share of familial resources, was granted to just one son. Indeed, there are aristocratic examples of the more valuable acquired English estates being granted to eldest sons, with the Norman patrimonial lands going to younger sons.⁶⁵ A fourth complication arises from Maine, conquered by William in 1063. Robert had been designated heir to Maine as well as Normandy, which Le Patourel used to argue for the weakness and non-applicability of the rule to the 1087 ducal succession. Yet Maine was unique, as Tabuteau points out: William had acquired Maine *through* Robert (since he was betrothed to the Manceaux heiress), so it was only fitting that Robert be heir to the land. Fifth, and perhaps most importantly, the custom

⁶³ On the Norman distinction between inheritance of patrimony and acquisition see, among others, Tabuteau, *Transfers*, pp. 101-2, 177-8; Tabuteau, 'Role', 155-67; Holt, 'Politics and property', 12-21; J. G. H. Hudson, *Land, Law, and Lordship in Anglo-Norman England* (Oxford, 1994), pp. 60, 182-3. For a cautionary note, S. D. White, 'Succession to fiefs in early medieval England', *P&P* 65 (1974), 118-27, at 124. The issue of the applicability of the inheritance-acquisition custom to ducal succession forms a major part of the debate surrounding the 1087 succession.

⁶⁴ Tabuteau, 'Role', 155-67; note also that Holt, 'Politics and property', while regarding its emergence as a result of the Conquest, also observes at 43 that the custom was easy enough to graft on to current Norman inheritance practice given the long ducal tradition of the endowment of younger sons.

⁶⁵ Tabuteau, 'Role', 160-1.

was not always applied, and nor was there a requirement to do so – a landholder could as equally grant acquisitions to his eldest son as to a younger son – and neither was there any rule determining consistent treatment of different acquisitions.⁶⁶

Regardless of these theoretical complications, contemporary sources have little to say on the matter, oddly given that the norm would reinforce the realised successions of 1087 and, arguably, of 1100. The custom may have bolstered Rufus' claim to England, and perhaps even instilled in him a belief of his *right* to it, given that the bequest of acquisitions was becoming associated with younger sons. But perhaps the inheritance-acquisition model proved less important in practice than it did in theory.

Designation by the prior duke, and the swearing of fealty to the nominated heir, was the most important element of a claim to succession in ducal Normandy. However, this too was altered by 1066. Robert's claim to Normandy in 1087 was irrefutable, despite his decade of defiance, and he met no opposition in his assumption of rule. Robert thus acquired the duchy as a post-obit grant from Duke William.⁶⁷ As Orderic highlights in relation to the 1087 and 1100 successions and the 1106 deposition, the Anglo-Norman baronage had sworn fealty to, and therefore publicly acknowledged, Robert as duke on least three occasions (once before and twice after the Conquest).⁶⁸ In the account of the 1100 interregnum, William de Breteuil encourages Henry to await the return of Curthose by emphasising the homage sworn to him: “‘We ought, according to law [*legaliter*] ... to remember the fealty which we have promised to your brother Duke Robert. For he is the eldest son of King William and both you and I, my lord Henry, have done homage to him, which constrains us to be faithful to him in everything whether he is present or not.’”⁶⁹ Furthermore, Robert's claim to England in 1100 may have been given further designatory strength by his status as Rufus' heir, agreed in the 1091 treaty. Although this treaty had probably been repudiated, the 1096 agreement may have re-established this term, and Curthose and Rufus probably assumed the other

⁶⁶ Le Patourel, *Norman Empire*, pp. 180-1; Le Patourel, 'Norman succession', 227, 234; Tabuteau, 'Role', 156-7.

⁶⁷ Garnett, *England*, pp. 166, 170-1, and Garnett, 'Curthose', 22-30; Beckerman, 'Custom', 258-9.

⁶⁸ Orderic, IV, 122-5; V, 290-1; VI, 94-5.

⁶⁹ Orderic, V, 290-1. My translation of *legaliter*: Chibnall offers 'by right', while Forester, III, p. 264, suggests 'we ought to have a loyal regard'.

was his heir, at least until married.⁷⁰ Crucially, fealty had been sworn to Robert certainly as duke of Normandy, and possibly as heir in England. In a society which placed great emphasis on public ceremony, this secured his Norman succession and was, in the eyes of many, a strong argument for his right to England.⁷¹

It is not clear whether the succession of William Rufus to the English throne in 1087 was backed by his father or not.⁷² *De obitu Willelmi*, the most contemporary source, states that William granted his namesake son the regalia of the kingdom, but the text is problematic, as it is heavily based on passages from the ninth-century Lives of Charlemagne and Louis the Pious. Van Houts has shown that this particular claim cannot be true, but was only included to affirm (post-accession) Rufus' status as his father's successor in England.⁷³ Orderic later has the dying Conqueror express a wish for Rufus' succession, giving him a letter confirming such to Archbishop Lanfranc, and Eadmer describes Rufus' entire enterprise as dependent on Lanfranc's support.⁷⁴ The evidence is too weak to be certain, but regardless of the strength of the Conqueror's deathbed decision, it was most significant that Rufus had not received any public acknowledgement of his possible status as royal heir.⁷⁵ Certainly his father could have backed him more strongly. Indeed, the baronial council of 1088 imagined by Orderic stresses this as a factor against support for Rufus (*cui nichil debemus*), in his mirror image construction of the claims of Curthose and of Rufus.⁷⁶

⁷⁰ The entries in ASC E, 1091 and 1094 suggest the treaty had been repudiated in 1093 or 1094, and Hollister, *Henry*, p. 105, thus argued that this agreement had no relevance in 1100. However, Barlow, *Rufus*, pp. 363-4, suggested that the 1096 agreement probably re-affirmed the status of each as the other's heir. The suggestion of Aird, *Curthose*, p. 192, that the failure of any of the three brothers to take a wife before 1100 implies a deliberate policy to allow the succession to pass from brother to brother, rather than from father to son, must be rejected.

⁷¹ Indeed, Garnett, *England*, pp. 176-7, argues for the binding strength of the sworn fealty by noting that those who backed Curthose in 1088 were largely Normans, whereas the English – i.e. those holding land only in England, and hence not involved in the designation ceremonies – offered him no support. This observation is made also by R. Sharpe, '1088 – William II and the rebels', *ANS* 26 (2004), 139-57, at 142-5.

⁷² Tabuteau, 'Role', and Strevett, 'Civil war', state the case most strongly for the Conqueror's active support for Rufus' claim; English, 'Succession', is more circumspect, suggesting the Conqueror left the succession an open question, placed in the hands of Lanfranc, and that he could have backed Rufus more strongly via a public designation.

⁷³ *DOW*, 186-7; van Houts, 'Introduction', *GND*, I, pp. lxiii-lxiv, confirmed by English, 'Succession', 223, 226, and Lack, '*De obitu*', 1434-5.

⁷⁴ Orderic, IV, 94-7; also at V, 202-3; Eadmer, p. 26-7. English, 'Succession', 222-9, offers a good discussion of the relative merits of each of these accounts of the 1087 succession. Robert of Torigni, *GND*, II, 194-5, simply states that William granted (*concesso*) England to Rufus.

⁷⁵ See also Lack, '*De obitu*', 1437.

⁷⁶ Orderic, IV, 122-3.

Despite this lack of public recognition for Rufus as royal heir, the *Anglo-Saxon Chronicle* names the movement against Rufus in England ‘treason’, comparing one ringleader to Judas Iscariot, and proudly relating how the Englishman rallied to support their lord the king.⁷⁷ So while Rufus’ claim was not obviously lent legitimacy via designation and the associated baronial recognition, the paramount feature was the *fait accompli* of his succession and coronation. This was secured seemingly through the combination of the approval of the archbishop of Canterbury, and perhaps possession of the royal regalia.⁷⁸ Speed of action was crucial in this. Robert of Torigni describes how Rufus crossed the Channel as ‘swiftly as possible’, and Malmesbury also has him racing to England armed with his nomination from his dying father to secure the kingdom. From Eadmer we hear how Rufus, once there, made numerous promises (later broken) to Archbishop Lanfranc to secure his support, since Rufus ‘fear[ed] any delay in his consecration might result in the loss of the dignity which he coveted.’⁷⁹

Rufus’ speed of thought and decisive action secured the throne and, as anointed king, his position was inviolable, regardless of any claim of Curthose; hence, the rebels of 1088 are decried as traitors. Torigni used this episode to demonstrate the duke’s lack of political acumen. At his supporters’ encouragement to move swiftly to take England, Curthose replied ‘with his usual simplicity’ that the English would await his arrival, and that Rufus himself “‘would never risk his head without waiting for my permission.’”⁸⁰ Henry enjoyed success by similar means in 1100. To justify his claim to England, Robert could call upon any one of primogeniture, his probable status as Rufus’ heir, and the fealty owed to him by the baronage, the first implying succession to his father, the second, to his brother, and the third a general obligation to recognise his right. Yet Henry claimed the throne. Orderic almost certainly recognised Robert’s right in 1100 as

⁷⁷ ASC E, 1087.

⁷⁸ DOW, 186-7, claims that the Conqueror granted Rufus the regalia on his deathbed. This is found in the *Vita Hludowici imperatoris*, but an additional item – the sceptre – has been added in the DOW, suggesting the reference was consciously left in; Lack, ‘*De obitu*’, 1435. However, this claim is probably false, since a charter of Saint-Etienne, Caen, records that the regalia were granted to the abbey by the Conqueror on his death, and then secured by Rufus in 1097; van Houts, ‘Introduction’, GND, I, pp. lxiii-lxiv. Barlow, *Rufus*, pp. 50, 58, however, deems it likely that Rufus *had* brought the royal regalia to England, or suggests that there were other sets which could have been used.

⁷⁹ GND, II, 202-3; WM, GRA, 542-5; similarly, BR, pp. 35-6; Eadmer, p. 26. On the importance of speedy and determined action in interregal periods, see Garnett, *England*, pp. 136-42, and S. D. Church, ‘Aspects of the English succession, 1066-1199: the death of the king’, *ANS* 29 (2007), 17-34, at 31-2.

⁸⁰ GND, II, 204-5.

stronger, but focused on the importance of Henry's physical presence, particularly significant since Robert was not just across the Channel, but still wending his way back from the Near East: 'As these words [William de Breteuil's proposal of awaiting Robert's return] were exchanged a sharp quarrel began, a crowd of men gathered from all sides and the strength of the heir who was on the spot claiming his right [*presentis haeredis qui suum ius calumniabatur*] increased.' Such was the power of Henry's presence in Orderic's eyes that he is able to refer to William's petition in favour of Robert as 'ill-founded delay.'⁸¹ Wace, too, expresses well the importance of the *fait accompli* of a secured succession and coronation, particularly in the context of a strong opposing claim. In a conversation with Henry, he has Robert admit that his one advantage – seniority of birth – was lost the moment Henry was crowned, and therefore “the dignity of the crown gives you [Henry] a great advantage.”⁸²

Undoubtedly, throughout this period, Robert had the strongest claim to Normandy, and perhaps, more debatably, England as well. But once both his younger brothers had achieved their respective successes in securing coronation in England, the theory of succession mattered less than the reality. When Rufus, and later Henry, challenged Duke Robert in Normandy, neither questioned the legitimacy of his power, but sought instead to undermine his rule by showing that he had little power over the duchy, and the Norman Church and people were suffering as a result. In fact, the title was all Robert had, duke in name only. Robert was a bad heir to the Conqueror, frittering away the paternal inheritance; it was the duty of the Conqueror's other sons (presenting themselves as the good heirs) to step in and assume power.⁸³ Largely because of the way in which the 1087 succession had played out, the strong Norman tradition of designation and acknowledgment of the ducal heir was not extended to England. This lack of clear provision for the kingdom gave greater opportunity for claims to be

⁸¹ Orderic, V, 290-1. *BR*, p. 37, even linked Henry's success with divine approval, seemingly operating on the basis that Henry's accession would not have happened had God not favoured it. Garnett, *England*, p. 138; N. Strevett, *The Anglo-Norman Aristocracy under a Divided Lordship, 1087-1106: a Social and Political Study* (unpublished PhD thesis, University of Glasgow, 2005), pp. 168-9.

⁸² Wace, *RR*, p. 211.

⁸³ Orderic, IV, 178-81, VI, 86-7, 284-7; *GND* (RT), II, 220-3; WM, *GRA*, 704-7, 720-5. On the idea of the 'bad heir', T. Roche, 'Les héritiers: famille et litige autour de 1100', unpublished paper given at *Tinchebray 1106-2006*, University of Caen, 28-30 September 2006. My thanks to Thomas for sending me his paper. Strevett, 'Civil war', 168, also notes the importance of the *fait accompli* of an achieved succession, and suggests that the historiographical focus on aristocratic inheritance practices to contextualise the royal-ducal succession is 'something of a red herring' in relation to 1100.

launched through assertive action during the uncertain interregnal period – a feature of all English successions until 1154, and a development which fundamentally destabilised succession and rule in Normandy.⁸⁴

The *raison d'être* of William Clito's opposition to Henry was the Norman dukedom. Other kin challengers may have used a claim to ducal rule as leverage to extract concessions (on which, more below), but the claim of unjust disinheritance lay at the very root of Clito's cause.⁸⁵ Here it was the supporters of the ducal dynastic rival (Clito) who used his hereditary claim to threaten the status quo (Henry) for their own profit. Contemporary sources recognise this, depicting Clito in a largely passive role during the discord. Orderic describes how he was 'sought out by many who wished to restore him to his paternal inheritance', while Robert of Torigni describes a princely pact to 'wrest Normandy from King Henry and give it to William, son of Robert, the duke of the Normans.'⁸⁶

The Clito-Henry opposition was rooted in the disputed primacy between uncle and nephew, specifically between the son of an incapacitated elder brother and the latter's younger brother. This situation has much in common with that later known as the *casus regis*, but here, the elder brother (Curthose) was not dead, but deposed and imprisoned, and the younger brother was in power. The Clito situation was not straightforward. Increasingly primogeniture was the norm in Anglo-Norman society, thus favouring the grandson's claim, but the succession of 1087 had introduced fraternal partition into the picture of the (now Anglo-)Norman succession, and this division advanced the claim of the younger son.⁸⁷ Furthermore, the Henry-Clito conflict was derived from the earlier fraternal conflict between Henry and Curthose, so these arguments again became

⁸⁴ Garnett, *England*, *passim*.

⁸⁵ Orderic, VI, 288-9, claims that Clito rejected a pay-off from Henry of three English counties; Hyde, p. 321, too has Clito refusing Henry's money, though in a slightly different context. It is unlikely that Henry made any proposal of this sort – to grant his biggest rival the means with which to sustain his opposition would have been foolhardy – but that these historians have Clito reject these hypothetical offers demonstrates contemporary perception of the centrality of Norman rule to Clito's cause.

⁸⁶ Orderic, VI, 368-9; RT, 1117, following HH, HA, 460-1; similarly, WM, GRA, 730-1, on Baldwin of Flanders.

⁸⁷ The earliest Norman *coutumiers* both discuss the issue of linear versus collateral inheritance, but offer different pronouncements. The (probably) earlier *Très Ancien Coutumier* favours the succession of uncle over nephew, while the *Grand Coutumier* stresses the importance of linear inheritance in preferring the succession of nephew over uncle. That these customs may be intended to apply only to aristocratic succession is possible, but for the fact that the former refers to the succession of John in 1199. *Très Ancien Coutumier*, 1, 12; 2, 12. *Grand Coutumier*, 25bis, pp. 122-5; 100, pp. 426-7.

relevant. The fact that Henry himself had been responsible for Curthose's removal, and in morally questionable circumstances, added further piquancy.⁸⁸ In this thorny situation, Clito could launch a strong claim not only to succeed Henry, but also to immediate rule of Normandy, and perhaps of England as well.⁸⁹ Despite his animosity towards Curthose and his esteem for Henry, Orderic calls Clito the 'natural lord' of the Normans and speaks of 'the lawful term of William's rule', suggesting the strength of Clito's right.⁹⁰

After the death of William Aetheling, Henry I was left with no legitimate son. Other claimants were considered, particularly once it became clear that the king's second marriage was proving barren. Orderic notes the disorder that this brought: 'So it was that many men, seeing that King Henry's legitimate heir had perished, and that the king was growing old without legitimate descendants, passionately embraced the cause of his nephew William...'⁹¹ The later stages of Henry's reign was thus another period of disputed Anglo-Norman succession, now arising from a dearth of lineal male heirs, which facilitated discord within the ruling house.⁹²

Both Orderic and Robert of Torigni attribute the conflict which blighted Henry's final year to Henry's failure to hand over several castles (part of Matilda's dowry) to Geoffrey of Anjou. Relations between Henry and Matilda were already strained, while rivalry between Normandy and Anjou was nothing new, conflict over border castles

⁸⁸ There are hints of uncertainty over the moral rectitude of Henry's treatment of Curthose (quite apart from the fact that they were brothers), particularly given the latter's status as an former crusader: see WM, *GRA*, 734-5, and particularly HH, *DCM*, 604-5, where Huntingdon, writing with a somewhat freer hand after Henry's death, tops a list of the late king's sins with his imprisonment of Curthose. W. M. Aird, 'Le retour du croisé: Robert Courteheuse, duc de Normandie, et les conséquences de la première croisade', in Gazeau and Green, pp. 35-45, on Robert's status as an ex-crusader after 1100.

⁸⁹ Le Patourel, *Norman Empire*, p. 205.

⁹⁰ Orderic, VI, 370-1, 208-9. For Orderic's unshakeable belief in the right of a crowned monarch, Chibnall, *World*, pp. 187-9. Henry of Huntingdon similarly attests that a significant part of the Anglo-Norman nobility expected Clito to succeed his uncle in both England and Normandy: HH, *DCM*, 594-5, 606-7.

⁹¹ Orderic, VI, 328-9.

⁹² The issue of the succession in the 1120s and early 1130s has been examined in the post-1135 context – from the perspective of surveying the validity of Stephen's claim to the throne prior to his accession. See K. J. Leyser, 'The Anglo-Norman succession of 1120-1125', *ANS* 13 (1990), 225-41; C. W. Hollister, 'The Anglo-Norman succession debate of 1126: prelude to Stephen's anarchy', *JMH* 1 (1975), 19-41; E. King, 'Stephen of Blois, count of Boulogne and Mortain', *EHR* 115 (2000), 271-96.

being a long-established form of Norman-Angevin warfare.⁹³ Underlying the quarrel, though, was a desire to clarify Geoffrey's position in relation to the Anglo-Norman succession, and to strengthen Matilda's position for Henry's death day.⁹⁴ According to the contemporary norm of inheritance passing *through* (rather than *to*) a daughter, Geoffrey could claim to be heir to the Anglo-Norman inheritance *jure uxoris*, although there is no suggestion that Henry ever intended this. While the Anglo-Norman aristocracy had sworn fealty to Matilda on probably three occasions, Geoffrey remained in limbo, his status unclear.⁹⁵ The correspondence of the archbishop of Tours on the subject suggests the different expectations of Henry and Geoffrey. In a letter pre-dating the breach of 1134, the archbishop reveals his joy at the reconciliation between father and son-in-law, and in particular at the decision that Geoffrey would now follow Henry's lead in all matters relating both to the king and to Matilda: tensions had clearly been current for some time.⁹⁶

This is supported by another statement of Torigni, in whose eyes the greater cause of the dispute was Henry's refusal to pledge faith for all the castles in England and Normandy to Matilda and Geoffrey. They had apparently requested this to secure the position of their sons, the 'legitimate heirs of Henry': presumably intending to install

⁹³ Henry had recently fought with Matilda over her future burial location: RT, 1134, discussed by Chibnall, *Matilda*, pp. 60-1. Henry had also had a hard time persuading Matilda to accept marriage to Geoffrey in 1127; Torigni mentions her reluctance (*GND*, II, 240-1), while a letter from Hildebert de Lavardin to Matilda, probably dating from 1127, concerns a report that Matilda had upset her father by her disobedience and insults (*ratus advectum de Anglia, qui voluntatem regis nobis aperiret, quive declararet quem affectum de contumelia filiae patris pectus induerit*) – Chibnall, *Matilda*, p. 55, argues also over the proposed Angevin marriage: *PL*, 171, cols 291-2, ep. 14. Hollister, *Henry*, p. 483, sees the conflict purely in terms of border warfare, and makes no mention of any possible wrangle over the succession.

⁹⁴ Orderic, VI, 444-5; RT, 1135. Robert of Torigni, here and at *GND*, II 264-5, also mentions that Matilda was angry with her father over his treatment of William Talvas, though this was related to the quarrel over the castles. In a rather circumspect passage, Henry of Huntingdon simply mentions *pluribus causis*, but blaming the *artibus* of Matilda: HH, HA, 490-1.

⁹⁵ J. A. Green, *Henry I: King of England and Duke of Normandy* (Cambridge, 2006), p. 217, and Hollister, *Henry*, p. 324, on Geoffrey's status. J. Gillingham, *The Angevin Empire* (London, 1984), pp. 8-14, suggests that Henry intended Geoffrey to be his heir in both England and Normandy, and this remained the aim until 1141. Power, *Frontier*, p. 345, suggests that Geoffrey was 'plotting' to succeed Henry in Normandy. See also Martindale, 'Succession', pp. 32-40, for a perceptive discussion of female inheritance; she also considers some precedents for Henry's designation of Matilda as his heir.

⁹⁶ *PL* 171, col. 272, ep. 46 (*ita ut in omnibus quae ad vos et ad vestram respiciunt filiam, vestram sit secuturus voluntatem*); for the other letters, *PL* 171, cols 291-2, ep. 14, and *PL* 171, cols 181-3, ep. 15. Chibnall, *Matilda*, pp. 57-8, judges that the letters give enough evidence to show that Geoffrey, rather than Matilda, was at fault in this earlier breach; Green, *Henry*, p. 206.

their own castellans, to guarantee the castles' loyalty.⁹⁷ Judith Green has argued that they were seeking from Henry some sort of 'public ratification' of the succession arrangements, acknowledging Geoffrey's role. The mention of Henry's grandsons, and the focus on castle custody – crucial in a disputed succession – strongly suggests concerns over the security of the Anglo-Norman inheritance motivated the conflict.⁹⁸ Indeed, Geoffrey's determination is demonstrated by the fact that he risked incurring the king's wrath by razing to the ground a castle held by a key royal ally.⁹⁹ In the context of the king's deteriorating health and the incapacity of his infant grandsons to rule, the heir's desire for significant concessions to guarantee succession was pitted against the king's dogged refusal to loosen his grip on royal authority, as tensions surrounding the succession boiled over.

This dispute arose in the absence of legitimate sons, but again shows that the principle behind a claim – though of course significant – was not necessarily as important as the action of claiming. Geoffrey and Matilda knew this, and recognised the security inherent in publicly-acknowledged legitimacy as heir(s), given substance in the form of castles. Designation and fealty did not prove adequate insurance for Matilda, however, as her cousin Stephen rushed to seize the throne on Henry's death, rendering irrelevant the claims of both Matilda and his elder brother, Theobald. Again, the *fait accompli* of the accession proved more powerful than the stronger claims of Theobald and, arguably, Matilda.¹⁰⁰ Stephen later sought to close this loophole, attempting to have his own son crowned during his own lifetime, and thus removing the need for a dangerous

⁹⁷ RT, 1135: *Erat et alia causa ipsius discordiae major, quia rex nolebat facere fidelitatem filiae suae et marito ejus idem requirenti, de omnibus firmitatibus Normanniae et Angliae. Hoc enim requirebant propter filios suos, qui erant legitimi heredes regis Henrici.* Torigni does not mention this in his interpolations in the *GND*, giving only the quarrel over William Talvas as cause of the conflict. Chibnall, *Matilda*, p. 61, judges that any such request would 'certainly have been unacceptable' to Henry; Green, *Henry*, pp. 217-8, however sees this as a reasonable request, a necessary security to facilitate a smooth succession – greatly endangered by Henry's stubborn refusal to offer any strong pledge. This is discussed in more detail in J. A. Green, 'Henry I and the origins of the civil war', in P. Dalton and G. J. White, eds, *King Stephen's Reign (1135-1154)* (Woodbridge, 2008), pp. 11-26. Much depends on whether Torigni's *facere fidelitatem* is translated as 'perform fealty' or 'pledge faith'; I have judged the latter more likely.

⁹⁸ Green, *Henry*, pp. 217-9. On castle custody during an interregnum, M. J. Strickland, 'The "bones of the kingdom" and the treason of count John', in M. Aurell, ed., *Culture politique des Plantagenêt (1154-1224): actes du colloque tenu à Poitiers du 2 au 5 mai 2002* (Poitiers, 2003), pp. 143-72.

⁹⁹ Apparently, Henry took it very hard that Geoffrey had not spared the castle 'out of respect for his own royal father-in-law', and was ready to storm back to England with Matilda in tow: Orderic, VI, 444-5.

¹⁰⁰ Martindale, 'Succession', p. 21.

interregnum after his death. He failed, but Henry Plantagenet learned this lesson from his predecessor and ensured the coronation of his own eldest son in 1170.

The major difficulties over ducal rule and succession in eleventh- and early twelfth-century Normandy were intertwined with strife within the ruling house. Competing norms allowed for disputed claims; intrinsically difficult questions, such as the priority of succession between uncle and a nephew, were not resolved; and the Conquest altered the theoretical and practical considerations underlying succession and rule. A firm claim could be subordinated to the reality of a weaker claim made good, and the potential for claimants to ride roughshod over stronger claims and the status quo encouraged struggles within the ducal family.

The substance of conflict: power and resources

The questions of who ruled Normandy, and who would succeed to the duchy, appeared central to conflict within the ruling house: this was how disputes were expressed. Most internal ducal clashes, however, were basically struggles over land and power, often triggered by disagreements over the allocation of resources, the aim being to extract concessions from the duke. Here, I show how access to resources – money and land, with their concomitants of followers, status and power – was the fundamental cause of clashes within the ruling family. Either providing or denying a ducal kinsman resources was dangerous, the former because it furnished him with a basis from which to advance his own claim, and the latter because it gave him a grievance. Striking the right balance was a challenge for the duke. In this section I consider the question of provision, first for the established heir, and second for other members of the ducal house, both lay and ecclesiastical, and why these difficulties often led to struggles between duke and kinsmen.

The treatment of non-ruling members of a ruling family was a perennial problem. The array of modes adopted for the transmission of power by other western European rulers shows they all faced the same quandary: how to grant appropriate provision without encouraging dissent from potentially dangerous kinsmen, either through too little, or too much, freedom. A child heir posed little threat, but he might start straining at the leash as a youth or adult, particularly if his accession was likely to be far-off, depending on

the generational lag (for instance, if his father had married and reproduced early).¹⁰¹ The treatment of younger sons and brothers also posed problems. As Garnett has shown, in the first half of the eleventh century the Norman dukes were in a double bind regarding ducal lands. Awareness of the need to provide for other sons is seen in a charter of Richard II, when he explains that he can only grant some of his land to a monastery as ‘the *causa* of my sons and also of my affines prohibits [my granting] the whole.’¹⁰² The ducal cadets had to have their claims settled via the allocation of land in order to bind them to the succession arrangements. This was achieved symbolically through the designation ceremony, when the ageing duke assigned estates to his younger sons, but the designated heir himself granted the apanages to his brothers, who in turn committed themselves to the heir. Dudo describes Duke Richard I’s directions concerning his younger sons: “‘When they have been made my son Richard’s faithful men by an oath of fealty, and their hands have been given in to his hands as a pledge of their hearts, let him bestow the land which I will show you, so that they may be able to live honourably.’” Similarly, William of Jumièges states that Richard II set his younger son Robert in his lands, ‘in such a manner that Robert owed obedience to Richard.’¹⁰³ The practice continued: a pre-Conquest charter described Duke William’s second son, Richard, as ‘of Avranches’, suggesting his father was intending to grant the Cotentin as an apanage to Richard before the latter’s premature death.¹⁰⁴

The Norman dukes only had to deal with two established adult heirs in this period – Curthose and Matilda, and both caused problems. The grievance of Matilda, with her husband Geoffrey, was rooted in the succession, though focused on disputed castle custody. The case of Curthose provides greater insight into the problem of the provision of resources for an heir, since the conflict between father and son had its origin in Robert’s resentment at the lack of means his father allowed him. As shown earlier, William’s denial of Normandy to Robert was at the root of the quarrel, and Orderic

¹⁰¹ See D. Herlihy, ‘The generation in medieval history’, *Viator* 5 (1974), 347-64, on the political, social, and economic ramifications of generational lags and, more generally, D. Herlihy, *Medieval Households* (Cambridge, MA, 1985).

¹⁰² Garnett, “‘Ducal’ succession”, p. 85; document at *RADN*, 15. Presumably *causa* here carries the meaning of ‘good cause’ or ‘full right’.

¹⁰³ Dudo, p. 171; Dudo, *De moribus*, p. 297; *GND*, II, 40-1. Dudo’s account is taken as plausible by Garnett, “‘Ducal’ succession”, pp. 94-6. Searle, *Kinship*, pp. 232-3, even suggests that the Conquest was motivated primarily by a need to provide for the duke’s sons: ‘the old problem of expand or be poorer.’

¹⁰⁴ *RADN*, 218. The same suggestion is made by J. A. Green, ‘Robert Curthose reassessed’, *ANS* 22 (1999), 95-116, at 109.

builds on this basic premise to show how Robert's lack of resources affected his day to day living. Robert's supporters stir his sense of injustice in claiming that, by withholding his means of living, his father is "giving way to avarice" and bringing great shame on his son:

"Royal prince, how can you live in such wretched poverty? Your father's minions guard the royal treasure so closely that you can scarcely have a penny from it to give to any of your dependants. It is a great dishonour to you and injury to us and many others that you should be deprived of your royal wealth in this way. Why do you tolerate it? A man deserves to have wealth if he knows how to distribute it generously to all seekers. How sad that your bounteous liberality should be thwarted, and that you should be reduced to indigence though the parsimony of your father, who sets his servants, or rather your servants, over you. How long, brave lord, will you bear this?"¹⁰⁵

Robert's own protestations to his father bear out this theme, as he tells him, "I am not prepared to be your hireling for ever. I want at long last to have property of my own [*rem familiarem*], so that I can give proper wages to my own dependants."¹⁰⁶ This brings into focus Robert's key problem: William was effectively denying his son independent status, by denying him property and wealth, the principal route to power and position. Without resources, Robert could not adequately keep his own household, display largesse to his followers, or proclaim his honour and standing in the strict hierarchy of court life. Robert was therefore kept on the same level as his younger brothers and other aristocratic youths waiting to come into their inheritance, which may have particularly galling for him, already in his mid-twenties by 1077 and having previously experienced some measure of independence during William's absence in England. Quite what resources Robert desired is not clear. Orderic implies money, speaking of the royal treasury, riches and wealth (*aerarius, opes, divitia*), but does so in the collective voice of Robert's followers, whom he disparagingly casts as factious and grasping young scoundrels, concerned only with their own reward.¹⁰⁷ Certainly Robert's request for Norman rule, had it been successful, would have solved this problem, thanks to the hefty revenues attached to ducal rule. It was unlikely, though, that the Conqueror would have relinquished these so readily. More realistic, and also more feasible now that the ducal coffers were swollen by the acquisition of England, was a parcel of land

¹⁰⁵ Orderic, III, 96-7.

¹⁰⁶ Orderic, III, 98-9. *Res familiaris* is a term from Roman law, referring to private property or the patrimony.

¹⁰⁷ Orderic, III, 96-9.

or a regular pension, or even the county of Maine, along the lines of the apanages of earlier ducal cadets, sufficient to allow Robert to live suitably according to his status as the Conqueror's heir until his own time should come.

However, the Conqueror was clearly a controlling character, and this undoubtedly extended to his family.¹⁰⁸ William's failure, or even refusal, to arrange marriages for his sons (despite the fact that in 1087 Robert was in his mid-thirties) appears unusual, but William was no doubt aware that a marriage would require the establishment of a full household and likely yield further heirs. It is tempting, though purely conjectural, to suggest that the rebellions and hostile alliances the duke had faced in his youth had imbued in him a strong desire for exclusive possession of power and mistrust of other claimants. That William had not granted his eldest son any power or resources in Maine (beyond an empty title), despite the fact that he had acquired the county through Robert, and despite the clear need in Le Mans for a firm ruling hand during the 1070s, certainly suggests this; perhaps the duke had also perceived in Robert a poor political aptitude. By restricting the flow of land and wealth to his son and rival, and thus limiting his capacity for action, William probably hoped to bind Robert to his rule with the promise of future power. The strategy backfired dramatically; yet the generational dilemma of the long-lived ruler well stocked with sons meant the same result could easily have ensued from the opposite policy.

The trouble caused by ducal kin-members not directly in line for the succession throughout the period demonstrates the ducal dilemma of balancing the distribution of resources while retaining a firm grip on power. Those with a claim, even a vague claim, to Norman rule or succession became far more dangerous once they gained substantial landed resources. The insurrections of both Guy of Burgundy and William of Arques were based on their own extensive lands, granted them by Duke William II in an attempt to secure their loyalty. When Clito finally secured the landed base of Flanders,

¹⁰⁸ Barlow, *Rufus*, p. 26, suggests William was an 'unduly possessive father', and this was the basis of the tight rein on which he kept Robert and his other sons. Aird, 'Frustrated masculinity', and Aird, *Curthose*, pp. 73-6, 78-83, argues that William's policy was to prolong his son's youth and deny him the status of the full adult male in order to keep a firm grip on his own power. Bates, *Conqueror*, pp. 150, 238, similarly argues that William's authoritarian approach extended to his family, describing him as 'a domineering husband and father who expected his relatives to fit into an Anglo-Norman structure of government in which he kept the final say for himself', relinquishing no power unless his hand was forced, and even then, not for long.

the threat to Henry soared, shown by Henry's swift campaign of action against the new count, and the words of Henry of Huntingdon on the king's terrors: 'What cares struck [Henry] down when his nephew William obtained Flanders and Henry thought that he would certainly lose the crown of the kingdom?'¹⁰⁹ Richard III may have discovered this to his cost on his brother's rebellion soon after his accession as duke. Robert's choice of Falaise, in the county of the Hiémois, as the stronghold from which to launch his dissent was significant, and suggests that he was laying claim to this county. William of Jumièges has Robert receiving the Hiémois from his dying father, but, as van Houts points out, this does not chime with his account of Robert's subsequent defiance. If Robert had been count of the Hiémois, his entrance into Falaise would have signalled no threat to the duke, so Robert had probably only been given the town of Exmes.¹¹⁰ The Hiémois seems to have been a traditional apanage for ducal cadets – certainly Richard II's younger brother William had received the entire county after 996 – and so, by airing his discontent at Falaise, almost certainly the largest town in the county, Robert was probably protesting the perceived denial of his rightful lands as a younger brother of the duke, and attempting to make good his claim to the county.¹¹¹

Henry had virtually no claim to the rulership of either England or Normandy in the 1090s, and little specific claim to a share in the Conqueror's lands; his subsequent success should not blind us to Henry's inauspicious position in this period. While acquisitions *could* be divided amongst a number of younger sons, customarily division of inherited and conquered lands was probably between two sons only. Furthermore, Henry *had* been provided for by his father, with a cash endowment.¹¹² None of the contemporary accounts offer any firm legal justification for his claims to a share in the Anglo-Norman realm, further evidence of his weak position in these years – any arguments favouring Henry's claims would certainly have been deployed. Henry's actions are instead legitimised on the basis of his status as a royal son and the standard rhetoric of fraternal comradeship and parity. William of Malmesbury describes Henry 'gnashing his teeth at the greed of two brothers capable of dividing up their paternal

¹⁰⁹ HH, *DCM*, 606-7.

¹¹⁰ *GND*, II, 40-1, 44-5. Wace, *RR*, p. 116, echoes Jumièges, but his later testimony on this is unreliable.

¹¹¹ *GND*, II, 8-11 on William, though note that Jumièges is careful to specify that the country was granted as a gift out of friendship. On the Hiémois, Power, *Frontier*, p. 214; D. C. Douglas, 'The earliest Norman counts', *EHR* 61 (1946), 129-156, at 145-6.

¹¹² Garnett, *England*, p. 175.

inheritance [*possessiones paternas*] and shamelessly leaving him almost destitute', and Orderic compares Henry's treatment by Curthose and Rufus to that of a stranger, in their continual snubbing of his requests for a share of land.¹¹³ However, these retrospective, post-1100 accounts and their picture of Henry as the victim of his brothers' greed and selfishness hardly form a reliable indication of his position and entitlements in the 1090s. The lack of any major movement in Henry's favour, and the meagre support he attracted beyond western Normandy, reflects the insubstantial basis of any claim.

It is clear from Henry's actions that his focus in the 1090s was on securing land and building some sort of following, having little hope of winning the greater reward of rulership or even future succession to either realm (although this remained a possibility as long as both king and duke were unmarried). Henry immediately put the money he had received from his father to good use, purchasing the Cotentin from Curthose in spring 1088 and then travelling to England to request his valuable maternal inheritance from Rufus.¹¹⁴ His resistance at Mont-Saint-Michel in 1091 was a last-ditch attempt to reclaim a territorial base in western Normandy, after Curthose and Rufus had taken back the Cotentin. Once Henry had secured a permanent landed base, with the acquisition of Domfront, he was able to switch allegiance between his brothers more confidently, 'supporting or opposing either as they happened to deserve.'¹¹⁵ Orderic remarks that, from this point, Henry 'assisted [Robert] only as far as it pleased him to do so', and we might also note the handsome pay which Henry received from Rufus for his subversive activities in Normandy in 1094-95.¹¹⁶ Henry's activities were defined by his search for land and wealth and the attempt to secure a foothold to attract loyal men. Indeed, his position was not dissimilar to that of a contemporary aristocratic *juvenis*. However, Henry's status as a member of the ruling family gave him greater appeal and, more significantly and unlike earlier ducal cadets, he had two powerful relatives to play off

¹¹³ WM, *GRA*, 550-1; *BR*, p. 36; Orderic, IV, 236-7, 250-1, 254-7; *GND*, II, 206-7 (based on *BR*).

¹¹⁴ K. Davies, 'The count of the Côtentin: western Normandy, William of Mortain, and the career of Henry I', *HSJ* 22 (2012), 123-140, suggests that Curthose's grant in 1088 was of the full countship of the Cotentin, 'a Norman experiment in the use of the comital title that was never repeated' (139).

¹¹⁵ WM, *GRA*, 710-1.

¹¹⁶ Orderic, V, 26-7; *ASC E*, 1095.

against one another.¹¹⁷ That he enjoyed some success securing land and money from his brothers was largely due to his canny exploitation of this new political situation.

The fact that ecclesiastical relatives of the duke had little or no claim to the duchy distinguishes those episodes of conflict involving such men. However, the treatment of overmighty episcopal relatives still brought problems. Considerable secular power was often concentrated in the hands of high-ranking churchmen; an air of untouchable arrogance emanates from depictions of Bishop Odo, for instance. Furthermore, as members of the ruling family, ecclesiastical kinsmen could still expect lands, perhaps a secular title, and certainly a place in the duke's inner circle. It was probably in the pursuit of these expectations, or in efforts to add to their secular power and wealth, that Archbishop Robert and Bishop Odo suffered the wrath of Dukes Robert I and William II respectively.

Both episodes attracted allegations of treasonous intentions, but that either was aiming to seize rule is improbable. William of Jumièges reports that Duke Robert's pre-emptive strike against the archbishop was motivated by suspicion, presumably anticipating that his uncle might make his own claim to the duchy, particularly after Robert's own recent (possibly disputed, and possibly violent) accession.¹¹⁸ The archbishop's subsequent record of loyalty to both Robert and young William may suggest such suspicion was misplaced, at least in terms of designs on ducal rule.¹¹⁹ Despite the claim of one source that Odo was scheming to take the throne from his brother, this is unlikely.¹²⁰ Odo shared only a mother with the Conqueror and so had no hereditary claim to Normandy – any seizure would be by conquest. His ecclesiastical status and the existence of the

¹¹⁷ On the idea of the aristocratic *juvenis* in north-western France in the twelfth century, see G. Duby, 'Youth in aristocratic society', in Duby, *Chivalrous Society*, pp. 112-22. Hollister, *Henry*, pp. 43-6, 83-4, characterises Henry as a *juvenis* during this time.

¹¹⁸ *GND*, II, 48-9. A letter of Fulbert of Chartres to Archbishop Robert also mentions the clash: 'I sympathise with you, holy father, over the injuries with which you have been unjustly afflicted, especially from one who owed himself and his all to your good faith.' Fulbert also alludes to the archbishop's loss of his 'outward possessions': Fulbert, *Letters and Poems*, 126. See Lifshitz, *Pious Neustria*, pp. 187, 192 on the rebellion; pp. 186-93 on Robert more broadly.

¹¹⁹ Against this, see Douglas, *Conqueror*, pp. 37-8, who argues that Robert could have claimed the duchy himself in 1035 – suggesting he would also have had a valid claim in 1027.

¹²⁰ Guibert of Nogent, *Gesta Dei per Francos*, ed. R. B. C. Huygens (Turnhout, 1996), p. 291, suggests that Odo was aiming for the throne; Wace, *RR*, pp. 194-5, implies that Odo hoped to become king *after* William's death.

Conqueror's healthy crop of heirs also make it improbable that Odo had designs on the Anglo-Norman realm.

At the heart of both disputes was probably disagreement over the allocation and use of ducal / royal resources. As count of Evreux, Archbishop Robert may have been seeking to increase his power or lands, and his status would certainly have imbued his claims to greater power with prestige and legitimacy. Duke Robert probably suspected this, transferring the control of wealthy and powerful abbey of Saint-Taurin, Evreux, from the archbishop to the ducal foundation of Fécamp.¹²¹ The case of Odo is similarly mysterious, but the sources permit a little more insight. Whether or not we believe the story of Odo's planned purchase of the papacy – Bates judges it possible, but improbable – it was the associated misuse of power and greedy extraction of resources which drove a wedge between king and bishop.¹²² Orderic emphasises the damaging effect of Odo's 'harmful ambition' and greed on the kingdom. The bishop's fall is rationalised as his just deserts for seeking more than his due; not being satisfied with Bayeux, Kent, and a share in royal power, Odo 'aspired to be set over all the earth', and was drawn 'only by the unrestrained presumption of his insatiable ambition' – so ultimately lost everything.¹²³ Malmesbury describes how Odo's stripping of the kingdom of knights for his papal scheme infuriated the king.¹²⁴ Even Guibert de Nogent, who has Odo planning to usurp the throne, conveys (particularly by his verb choice) the sense that Odo was wringing out what he could from county and kingdom: 'with the expectation of great wealth, he seemed ready to dare new enterprises, to the extent of plotting to take over [*tractaret*] the kingdom from his brother.'¹²⁵

The framework and the substance of conflict: convergence

The most potent weapon at the disposal of disgruntled ducal relatives was a challenge to the current Norman rulership or the succession. This was particularly so during times of

¹²¹ C. Potts, *Monastic Revival and Regional Identity in Early Normandy* (Woodbridge, 1997), pp. 67-8.

¹²² D. Bates, 'The character and career of Odo bishop of Bayeux', *Speculum* 50 (1975), 1-20, at 15-6.

¹²³ Orderic, IV, 38-45.

¹²⁴ WM, *GRA*, 506-7; also Hyde, p. 296. Wace, *RR*, pp. 194-5, likewise highlights Odo's misuse of resources, though in relation to his failure to render account for his stewardship of the kingdom.

¹²⁵ Guibert, *Gesta Dei*, p. 291; translation from Guibert de Nogent, *The Deeds of God through the Franks*, tr. R. Levine (Woodbridge, 1997), p. 136. That the chroniclers' distaste was not purely reflective of the perceived impropriety of a churchman hankering after excessive wealth and authority is shown by the fact that they did pick up on the fraternal dimension: ASC E, 1086; Orderic, IV, 42-3.

uncertain or disputed inheritance, the chaos of an interregnum, or weak ducal rule. Even under Robert Curthose, a duke who had the strongest possible right to the duchy, serious challenges to his rule could, and did, arise, due to his fragile hold on power. The fact that even ecclesiastical kinsmen attracted suspicion further suggests the importance of some sort of claim to ducal power to a dispute within the ruling family. However, it was concerns of land and wealth which were often at the root of ducal squabbles. Familial challenges within the ruling house did not always necessarily aim at unseating the duke and replacing him with a kinsman. However, the model of the kin challenge to the succession was the primary construct applied to dynastic conflict for reasons of legitimacy, even when conflict focused on more immediate concerns, such as the ducal distribution of lands, power and favour. The means and aims of conflict therefore were combined, as discontented kinsmen used the leverage of their claim and threat to the status quo in an attempt to force the duke's hand and improve their own material and political position. This combination can be illustrated through three cases studies: Robert's uprising in 1026-27; the challenges faced in the early decades of Duke William II's reign; and the fraternal struggles of 1087-1106.

The rebellion of Robert early in his brother's ducal reign focused on Robert's claim to the Hiémois. Robert certainly had a strong claim for a greater share in ducal lands, and also to be considered Richard's heir, bearing in mind Garnett's arguments on the legitimate claims of younger sons, and particularly if Richard's son, Nicholas, *was* already professed. It may have been in these terms that Robert presented his challenge, particularly given the relative lack of precedent for the treatment of ducal cadets: Richard III was probably only the second Norman duke (after his father) who had had younger brothers to handle.¹²⁶ But Robert had little claim to current Norman rule with his elder brother in place; with a young duke only a few months into his reign, the future succession would hardly have been at the forefront of Norman minds in 1026.

It is therefore unlikely – but not impossible – that Robert was questioning Richard's succession and rule by his opposition. The doubts arise from the untimely and possibly suspicious death of Richard in August 1027, only shortly after the brothers' reconciliation; Robert's defiance would otherwise have attracted much less attention.

¹²⁶ Richard II too had faced a fraternal rebellion, from his half-brother William, sometime after 996: William had received the Hiémois, but apparently refused obedience to his brother. *GND*, II, 8-11.

Both contemporary and later writers linked Robert's rebellion to his accession to the duchy, along with his possible disinheritance of Nicholas. While the impression that Robert was aiming for the throne at the time of his rebellion is probably false, created by the juxtaposition of events, the evidence should not be summarily dismissed. The contemporary Aquitainian monk and historian, Adémar de Chabannes, places Richard's death by poison alongside Robert's succession, and interestingly following an account of another attempted political assassination.¹²⁷ William of Jumièges reports Richard's death immediately after the end of Robert's opposition in a seemingly straightforward manner. However, he is circumspect, recording the rumour of poison with the rather non-committal phrase, 'as many people say', and suppressing mention of Nicholas. He also fails to make the conventional note that Robert's succession was achieved *jure hereditario*.¹²⁸ In fact, Nicholas does not appear in the *Gesta* until the 1090s, and Orderic later added information on him independently. He removed Jumièges' comment that Richard's death left Robert as heir to the duchy, and commented that Nicholas 'lacked an earthly inheritance by fate' – a more blatant querying of Robert's accession than Jumièges' discreet hints, according to Garnett.¹²⁹ Only a century later is the allegation of foul play made plainly, while a decade or two after that, an Angevin chronicle presented Robert's guilt and penitential voyage as fact.¹³⁰

It is difficult to disentangle these threads and reach any firm conclusions about Robert's intentions in late 1026 / early 1027, but it is certain that he was seeking greater landed resources from the duke, in the form of the Hiémois. For this reason (regardless of his possible later involvement in his brother's demise) it is likely that the defiance sought to question the settlement which had been arranged at Richard's succession, unfair in Robert's eyes since he had not received his due as ducal brother, rather than to query the legitimacy of the ducal rule.

¹²⁷ *Ademari Cabannensis chronicon*, ed. P. Bourgain, ass. R. Landes and G. Pon (Turnhout, 1999), III, 64. B. S. Bachrach, *Fulk Nerra, the Neo-Roman Consul, 978-1040: a Political Biography of the Angevin Count* (Berkeley, 1993), pp. 227-8, has suggested that the charge against Robert 'was well-publicized before [Robert's] death', but this is not strong enough evidence.

¹²⁸ *GND*, II, 44-7; Garnett, 'Curthose', 7-8. Garnett concludes that Jumièges doubted the legitimacy of Robert's succession.

¹²⁹ *GND* II, 44-7. For redaction α, see van Houts, 'Introduction', *GND*, I, pp. cxxii-cxxiii. Garnett, 'Curthose', 8-9.

¹³⁰ WM, *GRA*, 308-9; 'Chronica de gestis consulum Andegavorum', in *Chroniques des comtes d'Anjou et des seigneurs d'Amboise*, ed. L. Halphen and R. Poupardin (Paris, 1913), p. 50. See Douglas, *Conqueror*, pp. 408-9 on the allegations; note that a later tradition of murder by poison also arose around Robert's death in the Near East.

The volatile years of Duke William's minority saw a number of challenges to ducal power made by members of his kin-group, given a veneer of legitimacy by some claim to the duchy, but perhaps seeking other concessions. These disputes are presented in the narrative sources in terms of claim and succession. Orderic remarks that the Normans at this time were 'unbelievably embroiled in internecine conflict', and, on his deathbed, William dramatically laments that the rebellions of friends and relatives "robbed me of almost all the inheritance I had received from my father."¹³¹ Examples come from the respective threats of William Werlenc and William Busac, distant ducal relatives who both apparently attempted to usurp Duke William in the 1050s.¹³² But Orderic almost certainly exaggerated the threat of these challenges to glorify his successful defeat of both disturbances. These encounters were really little more than canny ducal kinsmen staking a vague claim to power and relying on their membership of the ruling family to try to win some concession from the beleaguered duke.

There are also elements of this in the cases of Guy of Burgundy and William of Arques; however, the fact that these two kin troublemakers, particularly Guy, had more plausible claims to ducal rule makes it more difficult to detect for certain a disparity between the professed motivation and the actual motivation of the opposition. Regardless of his true aims with regard to the rulership, though, Guy was certainly seeking territorial gains from Duke William via a challenge to his ducal rule and promotion of his own alternative candidacy; this emerges from contemporary testimony. According to William of Jumièges, Duke William feared that 'he would be thrown down from the summit of his ducal power and replaced by a rival.'¹³³ William of Poitiers records that Guy desired 'either the ducal office [*principatum*] or the greater part of Normandy', and judges that he deserved death, while his ally Nigel was punished only with exile – presumably because Guy alone had committed treason.¹³⁴ Meanwhile, in comparing Guy to a ducal brother, ostensibly referring to Duke William's kind treatment and provision of lands, perhaps Orderic also had in mind Guy's disloyalty and attempted

¹³¹ Orderic, III, 88-9; Orderic, IV, 82-3.

¹³² *GND*, II, 126-9. See Bates, *Normandy*, pp. 104, 156; Bates, 'Adolescence', 11; and Douglas, *Conqueror*, pp. 99, 138-9, on these hazy figures.

¹³³ *GND*, II, 120-1.

¹³⁴ *GG*, 8-13.

usurpation.¹³⁵ These snippets then hint at Guy's efforts to increase his landed power via an attempt on the duchy, and he was probably also remonstrating about his lack of ducal favour and low standing at court, no doubt inconsistent, in his eyes, with his status as a member of the ruling family.¹³⁶

We see a similar pattern with William of Arques. The professed aim of the rebellion seemed to be the deposition of the duke, but the discord was probably sparked by Arques' resentment at his loss of position among the duke's familiars, as Duke William increasingly relied on his youthful peers. William of Poitiers' view that Arques' crimes merited death suggests an aim to seize the duchy.¹³⁷ Like Guy, Arques is said to be proud and haughty in his royal blood and to have denounced William's illegitimacy, suggesting an attempt to undermine the duke's right to rule and implicitly promote his own.¹³⁸ Wace succinctly links Arques' ducal pretensions to his revolt: 'Because he belonged to the lineage which was laying claim to the inheritance, and because he was born in wedlock, he was causing harm to the duke.'¹³⁹ Again, though, the focus on landed resources is clear. The rebellion was launched from William's county of Talou in north-eastern Normandy. From here, 'endeavouring to increase his own lands against the might of his lord', the count apparently tried to bar the duke's entry to all the land north of the Seine, thereby laying claim to around a third of Normandy, a far greater area than his county alone.¹⁴⁰

Perhaps paradoxically, given the eventual outcome of the struggles between Curthose and Rufus, and then Curthose and Henry, the intermittent fraternal warfare of 1087 to 1106 was focused upon the extortion of landed and monetary privileges from the weak duke, but was legitimised in terms of contested succession and rule. The sources focus on the latter. Contemporary English sources agree that Robert was aiming for the throne

¹³⁵ Orderic, IV, 82-5.

¹³⁶ M. S. Hagger, 'How the west was won: the Norman dukes and the Cotentin, c. 987-1087', *JMH* 38 (2012), 20-55, at 36-7. Hagger notes that Guy attested only four ducal charters, and 'without especial prominence', suggesting that he was not an important figure in the ducal circle.

¹³⁷ *GG*, 38-9.

¹³⁸ *GND*, II, 102-5; *GG*, 32-7; Orderic, III, 254-5. Arques had, of course, seen two of his half-brothers and his child nephew become duke. The fact that he himself was the product of a union which later standards would have deemed illegitimate, as the son of Duke Richard II and his second wife, Papia (and his birth may well have pre-dated their marriage), does not seem to have been important.

¹³⁹ Wace, *RR*, p. 129.

¹⁴⁰ *GND*, II, 102-3; *GG*, 34-5. Douglas, *Conqueror*, p. 63, suggests Arques was aiming to become an independent ruler in this area.

in 1088, and Rufus in return sought to conquer Normandy from him shortly afterwards, while Orderic, offering the closest to a contemporary view from Normandy, fleshes out the material.¹⁴¹ The recurrent conflict between Robert and Henry of 1101 to 1106 was a continuation of the same fraternal discord. Again (and with more than a hint of providential hindsight), the major episodes are seen as struggles for the full Anglo-Norman inheritance, finally realised at Tinchebray.¹⁴²

However, although the discord was facilitated by the disputed descent of the Anglo-Norman inheritance, both Rufus and Henry initially sought territorial, monetary and political concessions from Duke Robert, rather than outright conquest of his duchy – at least until the acquisition of Normandy became a real possibility. Robert's brittle rule encouraged both to try their luck, characterising their challenges as disputes over the Norman rulership to justify their incursions. None of the three brothers had an unequivocal claim to the other realm, but each was able to use the leverage of the complex political situation to justify acts of aggression. This is suggested by the bare facts of the warfare. Rufus' campaigns in Normandy in the early 1090s were focused on winning castles and lands; indeed, in 1091, Robert ceded to him a number of important coastal or border areas, including Aumale, Fécamp, Cherbourg and the county of Eu. How these lands were held is unclear. They may have formed a kind of apanage, Rufus holding the lands under Robert's supremacy.¹⁴³ Orderic notes that after these concessions, there was peace between the brothers for two years: Rufus was sated, at least temporarily.¹⁴⁴ Indeed, Rufus never challenged his brother to battle, and he only got hold of the ducal heartlands when Robert formally transferred the duchy to him upon his departure in 1096.

There is also evidence for the pursuit of material concessions in the strife between the Conqueror's eldest and youngest sons. Robert's promising English campaign of 1101 ended when he accepted a yearly pension from King Henry to abandon his challenge

¹⁴¹ ASC E, 1087; ASC E, 1090; Eadmer, p. 44. Orderic sporadically covers the main episodes of friction in books VIII and IX. Later Anglo-Norman chronicles echo these sentiments: HH, HA, 412-7, and JW, 56-61, 70-3.

¹⁴² ASC E, 1101, 1105, 1106; Eadmer, pp. 132-4, 197; BR, pp. 37-9; Orderic, V, 306-21, VI, 58-9, 84-91; WM, GRA, 704-7; HH, HA, 448-57; JW, 96-9, 106-11; GND, II, 218-23.

¹⁴³ Barlow, *Rufus*, pp. 282-3.

¹⁴⁴ Orderic, IV, 252-3. On the treaty of 1091, see ASC E, 1091, Orderic, IV, 236-7, WM, GRA, 548-51, HH, HA, 414-7, GND, II, 204-7.

rather than pursue his (strong) claim to the throne. Henry's subsequent moves seem, at least initially, to be aimed at material and political advantage: the renunciation of the costly pension (which Henry may never have paid anyway), the acquisition of Norman lands through ducal grant (such as Domfront in 1101, and Evreux in 1104), and even the poaching of his brother's men.¹⁴⁵ Both Rufus and Henry also exploited Curthose's diplomatic and military skills to their advantage for domestic affairs (under the terms of the treaties of 1091 and 1101 respectively), the former on an expedition to Scotland in 1091, and the latter against Robert de Bellême in 1102.¹⁴⁶

¹⁴⁵ On the pension, ASC E, 1103, Orderic, VI, 14-5, WM, *GRA*, 704-5, 716-9, HH, *HA*, 450-3, RT, 1103; on Domfront and Evreux, Orderic, V, 318-21, VI, 58-9; on the transfer of Count William of Evreux from the service of Robert to that of Henry, Orderic, VI, 58-9.

¹⁴⁶ On the Scottish expedition, ASC E, 1091, Orderic, IV, 268-71, WM, *GRA*, 552-5, HH, *HA*, 416-7; on Curthose's siege of Robert de Bellême's castle of Vignats, Orderic, VI, 22-5.

Chapter Three

The place of ducal family conflict in Norman political society

The previous chapter concentrated on the causes of ducal family conflict in eleventh- and early twelfth-century Normandy. It argued that conflict, although seemingly based upon disputed rule and succession, was often primarily motivated by the pursuit of material and political concessions; the implications of 1066 created greater opportunity for conflict and also facilitated its perpetuation. This chapter will consider the place of ducal dynastic conflict in Norman political society.

It focuses on three related areas. First, the potential distinctiveness of internal ducal conflict – did its familial element differentiate it from other forms of conflict? Second, the chapter considers possible reasons behind the increase in ducal kin discord after 1066, and explores its roots in the mechanics of succession and in the expression of baronial discontent. Third, it analyses the impact of conflict. I argue that contention within the ruling house was a recurrent and recognised part of the Norman world, but still remained a powerful threat to the stability of that world: underlying that threat was the internal nature of the discord and the implicit breach of homage and fealty.

The particularity of conflict

The first issue to consider is whether ducal family conflict differed in any features from other conflicts: did anything set it apart? To answer this question, I look at the conduct of internal ducal conflict, the response of foreign powers, the response of the Norman baronage, and the personal and emotional dimension of struggles.

An analysis of the conduct of disputes in the ducal family, focusing on the actions of the antagonist, the actions of the duke, and the aftermath of the conflict, reveals few extraordinary features. There were no set patterns or rituals of behaviour. Common features simply reflected the wider political and military norms of the period.

Most episodes of ducal family conflict were initiated by military action, whether unleashed from within or outside the duchy's borders.¹ Several belligerents expressed resistance to the duke through hostile occupation of Norman towns and castles, launching raids from their own lands. Robert's challenge to Duke Richard in 1026-27 was tendered from Falaise, outside Robert's lordship, to protest that very fact.² In 1047, Guy of Burgundy and friends fortified themselves in the Cotentin and the Bessin; after the defeat at Val-ès-Dunes, Guy withdrew to his own castle of Brionne.³ A few years later, William of Arques signalled his break with ducal authority by building and occupying a castle at Arques, in his county of Talou.⁴ On at least two occasions in the early 1090s, Prince Henry occupied first castles in the Cotentin and the Avranchin, culminating in the siege of Mont-Saint-Michel (1090-91), and then the castle of Domfront (1092), from which he pillaged Normandy.⁵ Unlike the situation with Guy and Arques, though, from the ducal perspective Henry did not hold these lands legitimately, but had seized them – the one to protest against his loss of the Cotentin, and the other at the townspeople's invitation.⁶ Such a display of military aggression to initiate hostilities was a common strategy: to occupy an enemy's lands, raid the surrounding area from a safe haven and assert power over the locality, and thereby shame the duke into a confrontation. Indeed, William of Poitiers took Arques' preparation for defiance as entirely typical, concluding his account of the seditious plans with, 'in brief, a most dire rebellion is prepared.'⁷

¹ Two episodes did not see a direct military campaign against the duke; both are explicable. Odo was apparently planning military action against Rome, but this was still seen as a threatening act of disobedience. Curthose's second period of defiance only involved a self-imposed exile from court, and he did not challenge his father's rule.

² *GND*, II, 44-5; Wace, *RR*, p. 116.

³ *GND*, II, 120-3; Wace, *RR*, p. 116; WM, *GRA*, 428-9. Only *GG*, 10-13, and Orderic, IV, 82-5, mention the siege of Brionne.

⁴ *GND*, II, 102-5; note that two redactions, including that of Orderic, change William of Jumièges' *rebellandum* to *resistendum*, suggesting resistance to ducal rule rather than active rebellion. Also *GG*, 32-9; Orderic, III, 254-5; WM, *GRA*, 432-3; Wace, *RR*, p. 129.

⁵ Orderic, IV, 220-1, 250-3, and WM, *GRA*, 550-1, on 1090-91; Orderic, IV, 256-9 on 1092. Henry also led assaults against Normandy in 1095, as noted by ASC E, 1095, and HH, *HA*, 420-1, but in Rufus' pay rather than in his own right.

⁶ Henry had purchased the Cotentin from Duke Robert in spring 1088, but Robert had claimed back the land and revoked Henry's comital title later that year when he imprisoned his younger brother; upon his release in spring 1089 Henry returned to western Normandy and seized back the land. Henry acquired Domfront around a year after his defeat at Mont-Saint-Michel and expulsion from Normandy, when the citizens of the town rose up against their lord and invited Henry to rule them, in spring or summer 1092.

⁷ *GG*, 36-7.

The challenges launched by William of Arques in 1053-54 and Henry c. 1090-92, while technically based within the Norman borders, exploited weak ducal authority in each area and presented some sort of claim to independent rulership.⁸ Prolonged campaigns against Normandy from outside the duchy, via regular raiding backed by foreign powers, aimed to force the duke into a favourable settlement. Curthose's first break from his father was based on this type of warfare, focused on the south-eastern border and the Vexin, while William Clito – or powerful men in his name – also assaulted the duchy from bases abroad.⁹ Both campaigns led to armed confrontations, which might also have arisen in a third instance – Geoffrey of Anjou's raid on the southern Norman border culminating in the destruction of the castle of Beaumont (sur-Sarthe) – had King Henry's death not intervened.

The approach of the duke to disputes within his own family is seen in anticipation and in reaction. The paradox of any power system based on dynasty is that a ruler's closest kin (particularly sons) are necessary for the continuation of the ruling line, yet also pose great threat to the status quo. Sovereigns were forced to maintain a delicate balance between keeping impatient heirs happy with small concessions while not losing control by granting away too much. An anecdote related by Herman of Tournai suggests the extent of these worries. After providing her husband Count Robert II of Flanders with three sons in as many years, Clemence 'was afraid that if she bore any more, they would fight among themselves for Flanders', and she thus 'employed a female art' to prevent any further pregnancies.¹⁰ Too few sons left a dynasty vulnerable, but too many sons could push resources to breaking point, potentially leading to violent conflict between and within generations.¹¹

The use of this ultimate parental pre-emptive strategy to limit sibling conflict remains conjectural, but more verifiable preventive measures against potential kin troublemakers attest these concerns in Normandy. Three ecclesiastical and two secular kinsmen were

⁸ See chapter two, p. 88 on Arques; for the brief time that Henry had been count of the Cotentin, he seemingly had authority over the entire region, perhaps even akin to a mini-dukedom: see Davies, 'Count'.

⁹ Orderic, II, 358-61, III, 108-11; WM, *GRA*, 700-3.

¹⁰ Herman of Tournai, pp. 35-6.

¹¹ Bouchard, *Those of My Blood*, pp. 164-8, suggests active planning for the right number of children; similarly, Thompson, 'Illegitimate children', 140, argues that Henry I and Matilda decided not to have further children after William and Matilda in an attempt to restrict the pool of legitimate heirs (Henry could of course father as many bastard children as he pleased).

removed from their respective positions of power by the duke, thereby nullifying any threat. These men did not have strong claims to power, so ducal anxiety was probably instead based on suspicion (whether well-founded or not) that these kinsmen might use their position and status to undermine ducal rule by means other than directly challenging rule. The extent of the threat varied.¹² Contemporary references to the variance between Archbishop Robert and Duke Robert I suggest that the duke's actions were unfounded, but there was probably more weight behind the threat of Archbishop Malger.¹³ He had probably supported his brother William of Arques' recent rebellion; in what capacity is unclear, but Malger was evidently too untrustworthy to hold the Norman primacy. It is unlikely that Malger was deposed in punishment for his opposition to the duke's marriage, as Malmesbury later claimed; either way, it was clearly crucial to the smooth operation of ducal power to have a firm ducal ally on the archiepiscopal seat of Normandy.¹⁴ Bishop Odo completes a trio of prominent churchmen targeted before presenting a vague but apparently substantial threat to ducal power. Interestingly, the sources largely focus on the ecclesiastical and moral failings of both Malger and Odo to justify their treatment by Duke William, rather than highlighting any direct threat to ducal power or the future succession. Although this reflects the style in which the monastic chroniclers wrote, it also suggests a ducal aim of excluding those of questionable loyalty or whose actions were judged detrimental to the duchy.

William Werlenc and William Busac were the only secular ducal kinsmen subjected to pre-emptive removal by Duke William. According to Orderic, each had been plotting to take over the duchy.¹⁵ Both were probably exiled in the 1050s, during a period of growth and consolidation of ducal power, as William emerged unscathed from his minority and surrounded himself with trusted men. It is possible that these threats were genuine, but the subsequent disappearance of both, together with the Capetian king's decision not to take up the cause of Busac at a time of great Norman-French antagonism, but instead to settle on him a county and a wife, suggests that any claim was weak and the danger more potential than real. Pre-emptive actions to safeguard the

¹² Of interest here is J. O. Prestwich, 'Military intelligence under the Norman and Angevin kings', in Garnett and Hudson, pp. 1-30.

¹³ *GND*, II, 48-9; Fulbert, *Letters and Poems*, 126.

¹⁴ On Malger's deposition, *GG*, 84-7; *GND*, II, 130-1, 142-3; Orderic, III, 86-7, IV, 84-7; WM, *GRA*, 494-5.

¹⁵ *GND*, II, 126-9.

ducal position therefore cluster around times of uncertainty: shortly after succession, and after a difficult minority. Removing potential troublemakers from their positions rendered them powerless, but such a precaution, usually irreversible, could only be taken against those kinsmen (churchmen, or distant kin) whom the duke could be without, not against his heirs.¹⁶

The most important role of the duke was war-leader and military figurehead, to defend and protect the Norman duchy, Church and people against hostility from within or without. That attacks from within the duke's own family should elicit a strong and swift military response is not surprising; it was his duty, as holder of the ducal office, to promote the interests of the duchy above any personal interest.¹⁷ There is no evidence of a different ducal military reaction to challenges from kinsmen compared to other threats – the same rules of war applied.¹⁸ The struggles involving Robert and Duke Richard, Guy of Burgundy, William of Arques, Curthose, Prince Henry, and Clito all saw a direct military response from the duke aimed at defeating his rival, protecting his land and people, and punishing the insurgents. The duke was usually in the stronger position – thanks to the superior quantity and quality of his troops, his military reputation, and the moral scruples many had against fighting their lord – and so came out better in most encounters, with the exception of the Conqueror's defeat at Gerberoy. Battle was rare. The rebellions of Guy and of Curthose saw pitched battles, but the latter instance was probably more of a skirmish. There were two major military clashes fought in the name of the Clito cause, at Brémule (1119) and Bourghéroulde (1124) respectively; yet at the former, the Normans formed only a part of the French forces, while neither Clito nor Henry were even present at the latter. None of these encounters were decisive for the core dynastic split, although Brémule might have been so but for the White Ship disaster. Siege was the more common method of waging warfare in the eleventh and twelfth centuries, the expected military response to an aggressor raiding the duchy from a town or castle base. Many of the kin disputants did exactly this, as seen at Falaise, Brionne, Arques, Gerberoy, and Mont-Saint-Michel, and in a number of small-scale assaults undertaken by Norman supporters of the Clito cause.¹⁹

¹⁶ Of the cases mentioned here, only Archbishop Robert returned to ducal favour.

¹⁷ See chapter one, pp. 43-6.

¹⁸ The general points which follow are based on M. J. Strickland, 'Against the Lord's anointed: aspects of warfare and baronial rebellion in England and Normandy, 1075-1265', in Garnett and Hudson, pp. 56-79.

¹⁹ On pitched battles and sieges, *ibid.*, pp. 66-9.

The form of campaign undertaken by the duke against familial opponents therefore conformed to wider military practice; so too did the importance of the ducal or royal presence in quelling rebellion, as argued by Strickland. For instance, William of Poitiers describes how the personal courage and energy of Duke William were fundamental to victory at both the battle of Val-ès-Dunes and the siege of Arques.²⁰ While it is easy to discount this as mere rhetoric from the ducal apologist, a speedy and decisive response by the duke was important to demonstrate certainty of action and to prove, in the case of domestic threats, that no man would be spared “against the public interest through any partiality.”²¹ Aware of the significance of the ducal military presence and reputation, Duke William personally led the expedition against William of Arques, despite advice to the contrary; according to William of Poitiers, he was so keen to reach the fray that all but six horses of his entourage died from exhaustion on the journey.²²

The punishment for treason in Normandy was forfeiture and imprisonment for life. There are also three instances of eleventh-century rebels being punished by death or mutilation, while in 1124, Henry I ordered that three traitors be blinded.²³ By this measure, defeated family members were treated with relative leniency, but in fact most traitors actually suffered exile rather than incarceration, and were often later restored to their lands and ducal favour; those that were imprisoned were seldom kept under lock and key for life.²⁴ Such milder treatment applied in the aftermath of familial conflict too. No single pattern emerges; the conclusion of ducal kin disputes was influenced by a range of factors: the notion of ducal clemency, the practical need to restore peace, and the necessity of retaining the goodwill of ducal kin-members, and particularly heirs.

²⁰ GG, 10-1, 36-9.

²¹ Orderic, IV, 42-3; the point is part of the Conqueror's argument for Odo's arrest.

²² Orderic, IV, 84-5; GG, 36-7.

²³ Orderic, II, 318-9. Specifically on Norman treatment of treason, see Tabuteau, 'Punishments', and Bates, *Normandy*, pp. 166-7; on Anglo-Norman practice (and its Norman roots), M. J. Strickland, *War and Chivalry. The Conduct and Perception of War in England and Normandy, 1066-1217* (Cambridge, 1996), chapter nine; J. G. H. Hudson, 'The fate of Earl Waltheof and the idea of personal law in England after 1066', in Crouch and Thompson, pp. 223-35; K. van Eickels, 'Gendered violence: castration and blinding as punishment for treason in Normandy and Anglo-Norman England', *Gender & History* 16 (2004), 588-602. On the 1124 mutilations, Orderic, VI, 352-5. The third knight chose to commit suicide rather than undergo blinding. On Henry's use of corporal punishment, C. W. Hollister, 'Royal acts of mutilation: the case against Henry I', *Albion* 10 (1978), 330-40; more recently, Green, *Henry*, pp. 314-6.

²⁴ Tabuteau, 'Punishments', pp. 142-6. The treatment of the three ringleaders of the 1122-24 unrest is a later example: all three were imprisoned, but only one was not released in Henry's lifetime.

Only two disputes in Normandy were brought to a close with an agreed settlement, each involving the duke's subsequent successor (Robert in 1026-27, arguably heir apparent, and Robert Curthose in 1079-80) and essentially restoring the status quo. In the brief account of the former's rebellion, there is no suggestion that Duke Richard yielded any concessions; it is simply said that Robert 'abandoned his folly', their 'former harmony was restored, and ... each went his own way.'²⁵ It is plausible that the duke granted him the Hiémois. The details of Curthose's settlement with his father, by Easter 1080 at the latest, are also unknown. Robert was in the stronger position after defeating William at Gerberoy, and he may have continued raiding Normandy's eastern frontier throughout 1079.²⁶ Perhaps Robert came to terms hoping to wring concessions out of his father; the role of the mediators and perhaps a shared desire to restore stability probably also contributed. The only certainty is that the Conqueror re-confirmed Robert's status as Norman heir, probably in a formal ceremony.²⁷ Robert's involvement in political and governmental affairs did apparently increase after 1080, seen, for instance, in his independent expedition to Scotland in 1080-81, but his subsequent flight from court suggests that his position had not significantly improved. Nevertheless, these two instances show that the importance of reaching a settlement with disgruntled heirs was recognised, for the benefit of both current and future stability. Indeed, Henry's failure to heed this lesson in 1135 laid the foundations for civil war.²⁸

Several apparently traitorous ducal kin-members were punished by a combination of disinheritance, imprisonment and exile, but none were actual or potential heirs.²⁹ Archbishop Robert and the two distant ducal kinsmen, Williams Busac and Werlenc, were each stripped of their lands and sent abroad, though the archbishop subsequently returned. Duke William's apologists, meanwhile, stress the leniency of his post-rebellion dealings with Guy of Burgundy and William of Arques. Jumièges' discussion of Guy after his surrender at Brionne is brief, while Poitiers states that the duke allowed

²⁵ *GND*, II, 44-5.

²⁶ Aird, *Curthose*, p. 88.

²⁷ Orderic, III, 112-3.

²⁸ See Green, 'Origins.'

²⁹ On exile, see L. Musset, 'Autour des modalités juridiques de l'expansion normande au XI^e siècle: le droit d'exil', in L. Musset, J.-M. Bouvris, and J.-M. Maillefer, eds, *Autour du pouvoir ducal Normand X^e-XII^e siècles* (Caen, 1985), pp. 45-59; and E. M. C. van Houts, 'L'exil dans l'espace anglo-normand', in Bouet and Gazeau, *La Normandie*, pp. 117-27.

Guy to remain at court, but Guy, shamed by his guilt, chose to return to Burgundy.³⁰ Guy's allies, who 'justly deserved death', were all pardoned too, except for Vicomte Nigel who suffered exile.³¹ This has largely been accepted by historians, despite Orderic's comment that Duke William drove Guy from Normandy 'as a public enemy [*hostem publicum*].'³² For William to pardon Guy seems out of character for a duke otherwise known for his ruthlessness and resentment, but is explicable. It is possible that ties of kinship played a major role, but unlikely, because on other occasions William showed himself quite capable of severity towards close relatives. Other possible factors include William's relatively weak ducal power in 1047, when it was probably too great a political risk to dole out harsh punishments to the ringleaders and so potentially aggravate others – especially as unrest had been based in the west, where ducal authority was particularly brittle. Similar thinking is illustrated by Rufus' leniency in 1095, when he feared that the rebels, or their relatives seeking vengeance in Normandy, might, through harsh punishment, be 'goaded ... to another unlawful insurrection against the state [*rem publicam*], which could only cause great distress and great harm and loss to many persons.'³³ Guy probably only witnessed one charter after his restoration; perhaps William pardoned and accepted him back at court in principle, but by freezing him out of the ducal circle and court life, effectively banished him.³⁴

There is also some disagreement over the fate of William of Arques. All commentators agree that he was exiled, but William of Poitiers adds that he was allowed to keep his patrimony, and 'certain extensive lands' – taken by Chibnall to mean that the duke allowed his uncle to live off the estates' revenues. Orderic disagreed, claiming in the *Gesta* that William joined the household of Eustace of Boulogne, and recording in the *Historia* that the duke refused to let him return to his lost fiefs.³⁵ Meanwhile, both Bishop Odo and Prince Henry fell foul of their powerful brothers, and were punished by imprisonment. Duke Robert's short incarceration of Henry in 1088-89 can hardly be seen in a specifically familial light, as Henry was confined (along with another vassal)

³⁰ *GND*, II, 122-3; *GG*, 12-3.

³¹ *GG*, 12-3. Hagger, 'Cotentin', 38, on Nigel's punishment.

³² Orderic, IV, 84-5. Of the other twelfth-century historians, William of Malmesbury has Guy retreating to Burgundy, and Wace agrees: *WM*, *GRA*, 428-9; Wace, *RR*, p. 137.

³³ Orderic, IV, 284-5. See also the debate on the treatment of the defeated rebels after the siege of Rochester in 1088: Orderic, IV, 128-35.

³⁴ *RADN*, 194. Guy does appear in the witness lists of two further charters (131 and 142) but, as Bates, *Normandy*, p. 256, has pointed out, these two documents are highly suspect.

³⁵ *GG*, 42-3; *GND*, II, 104-5; Orderic, IV, 84-5; Wace, *RR*, p. 130.

for alleged treachery; Curthose's actions were those of a lord suspicious of his men's loyalty. Odo's incarceration was both punishment and isolation. His lands were confiscated, but he was not deprived of his episcopal status because he had been arrested as earl of Kent rather than bishop of Bayeux.³⁶ Whatever the precise nature of Odo's wrongdoing, William seems to have regarded it as treachery and a personal betrayal. He also saw Odo as a continuing threat to his regime – not a direct threat as Odo had no hereditary claim, but an indirect threat, sapping power, and perhaps prestige, from the king. If true, William's initial deathbed refusal to release Odo, despite the fact that all other prisoners were to be freed, suggests a personal grudge and a strong conviction that Odo's duplicitous activities would continue. When William is eventually prevailed upon to release the bishop, Orderic has the dying king issue an ominous warning: "[Odo] will disturb the whole kingdom and bring thousands to destruction ... I warn you he will be the cause of death and grievous harm to many."³⁷

There was a consistent desire to remove from the political scene family members without a direct claim to rule or succession but who were nevertheless deemed untrustworthy, having shown themselves capable of undermining Norman stability. Ducal power and dynastic success were not contingent upon these individuals, and so their removal was possible, and beneficial from the ducal perspective. Furthermore, the disinheritances released land with which Duke William could then bind his own men to him. As mentioned, most traitors suffered exile and forfeiture, but might subsequently be recalled – and here dynastic aggressors differ only in the apparent irreversibility of their punishments. Every exile bar one was permanent; Odo's removal would also have been permanent had the king's will prevailed – suggesting not only the characteristic caution and ruthlessness of the Conqueror, but also a general recognition of the inherent threat of these men.³⁸

Curthose's first rebellion ended in a settlement (which was in fact later invalidated by the second breach), but all other internal ducal struggles after 1066 were only resolved after the elimination of one of the parties, either incidentally or after a protracted struggle that could not be settled in any other way. This may reflect a personal element

³⁶ Bates, 'Character and career', 17.

³⁷ Orderic, IV, 100-1.

³⁸ Bates, *Conqueror*, p. 144, suggests that William displayed 'unrelenting hatred' against a succession of victims.

in some clashes, for example between Curthose and the Conqueror, and within the Matilda-Henry-Geoffrey triad. However, this principally illustrates that conflict was more likely arise and to persist after 1066, as the practicalities of succession and rule became more complex, the power and wealth at stake increased, and (argued below) baronial provocation and exploitation of internal ducal struggles intensified.

A further reason for the perpetuation of strife in these years was that, as a result of 1066 and 1087, it was possible for two members of the ducal family to hold positions of independent rulership, as was the case in practice between 1087 and 1096, and between 1100 and 1106. Earlier quarrels had pitted the duke against a rival family member who was characterised as a rebellious traitor, since he did not hold equal status or means. In the struggles of 1087-1106, an essential equality of rank and resources placed the adversaries on a level for the first time.³⁹ This situation created great potential for long-term rivalry. The belligerents could each draw on the resources of an entire kingdom or duchy, opportunistic nobles or foreign princes could provoke the re-ignition of hostilities, and the root cause of the discord was difficult to resolve unless one ultimate victor emerged.

The death of the king brought internal discord to an end in 1087 and 1135. Curthose was not in active opposition to his father during their second rift, but had simply removed himself from court to wait his turn, a risky move with two ambitious younger brothers waiting in the wings. Henry's demise in December 1135 prevented any settlement with his dissenting daughter and son-in-law, but the quarrel had been rumbling on for around a year and a half; only a few weeks earlier, Henry had been strengthening his fortifications on the southern Norman frontier.⁴⁰ The quarrel between the famously ruthless king, stubborn empress and Angevin count showed no signs of abating on Henry's abrupt death.

³⁹ There certainly was an imbalance in the resources – land, wealth, men – on which Curthose and Rufus, and subsequently Curthose and Henry, could draw, as respective rulers of Normandy and England. Indeed, Green, 'Curthose Reassessed', and Aird, *Curthose*, have both highlighted this inequality as an explanation for Robert's reverses against the English kings and his difficulties as duke of Normandy. But there was a broader equality of status, power, and resources for the first time.

⁴⁰ Green, *Henry*, pp. 218-9.

The sudden death of William Clito in 1128 simultaneously extinguished his own cause, ended internal opposition to Henry's rule, and brought peace with neighbouring powers. Recognising his error in letting Clito go free in 1106, Henry had tried, unsuccessfully, to remove his young rival around 1110.⁴¹ William probably only met Henry again on the battlefield of Brémule; their occasional communication was made through messengers. The difficulty of the Clito-Henry discord revolved around the disputed uncle-nephew priority of succession; the perpetuation of the conflict owed much to its regular if intermittent backing by (self-)interested parties. After 1120, Henry had no direct male heir, and, by 1127, Clito was in a strong position as count of Flanders, so only the elimination of one or the other could end the conflict. Clito himself apparently vowed never to give up the fight, so his death in the Flemish civil war was certainly a boon for Henry.⁴² A range of malcontents had rallied to Clito's cause in order to legitimise their dissent and pursue personal grievances. It was these parties that held the real power, and Clito was a mere pawn in their power games; but without him, opposition to Henry was impossible.

As noted above, the recurrent fraternal strife of 1087-1106 was characterised by a balance of power between the belligerents; each brother could draw on valid claims and sufficient resources with which to back them up, facilitating and prolonging the strife. Periods of tense peace punctuated the struggles, but these proved to be only respites from the norm of active hostilities, with a succession of invasions and counter-invasions, broken treaties, and the subversion of baronial supporters. In both periods, the recurrent struggles, and indeed the active warfare in which the brothers were embroiled until the final moment, were ended only by the removal of the duke of Normandy: in the first instance, by his decision to join the First Crusade, in the second, by his imprisonment. Both instances handed Normandy to the king of England – for life, as it turned out. News of Robert's impending return in 1100 may have prompted Rufus into action, though his sudden death soon afterwards means his plans are obscure.⁴³ Meanwhile, there was very little chance of Henry releasing Robert after

⁴¹ Orderic, VI, 162-5. Gillingham, 'Chivalry', p. 31, suggests that chivalry prevented Henry from imprisoning Clito in 1106, but does not account for this later attempt to seize him.

⁴² Hyde, pp. 320-1.

⁴³ Orderic, V, 280-1, states that Rufus planned to fight Robert to retain Normandy, and to mortgage the duchy of Aquitaine from the count of Poitou. Barlow, *Rufus*, pp. 414-5, rejects this; Hollister, *Henry*, pp. 99-100, accepts it.

1106, ‘for fear’, as Orderic astutely observed, ‘that dissidents might molest simple and peaceful folk under the pretext of helping hi[m].’⁴⁴ King Louis attempted and failed to secure Robert’s release from Henry, who apparently proved likewise stonily impervious to Clito’s appeals for his father’s freedom.⁴⁵ If anything, security was tightening: in 1126, Curthose was transferred to the custody of Robert of Gloucester, with the ruling family taking action to smooth Matilda’s way to power.⁴⁶

The conduct of internal ducal conflict therefore does not suggest that it had specific peculiarities. The response of foreign powers to disorder within the Norman ruling house also suggests that discord formed part of the broader picture of Norman foreign relations. Dynastic rebels often sought external backing, and foreign princes were happy to exploit the domestic disputes of their powerful Norman neighbours. Indeed, the political fragmentation of northern France during this period, particularly in the eleventh century, actively promoted such alliances, with a range of potential allies, foreign powers hostile to the Norman duchy, offering ready-made support to discontented ducal kinsmen. Those with their own land from which to launch opposition had less need to seek outside support, but for those without land or office, such as Curthose in 1077/78-80, and Clito until 1127, foreign aid was essential to transform an empty threat into tangible opposition. As overlord of Normandy, in name if not always in substance, we would expect the king of France to be first port of call for any disgruntled Norman subject, ducal kin or not.

Yet Normandy was one of the strongest and most secure northern French territories from the later tenth century onwards, while the Capetians had only been raised to the monarchy in 987, and remained just one of many players in the patchwork of regional power. Bates suggests that the Norman dukes maintained their fidelity and loyalty to the Capetian kings until the time of Robert I, shown by mutual support and the occasional rendezvous, but that Duke William never performed homage to the French king, instead pursuing autonomy and the expansion of his own power.⁴⁷ It is not until William of Arques’ resistance that a French king appears intervening in Norman dynastic conflict.

⁴⁴ Orderic, VI, 98-9.

⁴⁵ Orderic, VI, 256-7; Hyde, pp. 320-1.

⁴⁶ ASC E, 1126; Hollister, ‘Succession debate’, 25. A tradition later arose that Henry paroled Robert, who subsequently raised an insurrection against the king; see Green, *Henry*, p. 216. This is incredibly unlikely.

⁴⁷ Bates, *Normandy*, pp. 24-8, 59-64.

This should be seen in the contemporary northern French context of a 'crude balance of power' in which 'the rise of one to pre-eminence usually led to the others forming an alliance against him.'⁴⁸ Both Poitiers and Jumièges report that King Henry of France came to the count's aid at Arques, but beat a hasty retreat after a Norman ambush, ignoring the 'urgent piteous messages' of the rebels.⁴⁹ Interestingly, neither historian previously mentions any connection between Arques and the French court, which would have suited the vilification of Arques by the chroniclers as a deceitful, power-hungry traitor. Henry's support may have been indirect, not actively sought by Arques. Only the previous year, Henry had formed an alliance with Anjou directed against Duke William, and remained an active enemy of the duke until his death in 1060, launching full invasions of Normandy in 1054 and 1057.⁵⁰ Henry's intervention in Arques' rebellion was an attempt to cut down to size a dangerously powerful but (theoretically) subject principality, via the exploitation of internal discord, all the more potent because of its origin within the ruling house.

King Philip played a greater role in the first rebellion of Curthose, providing him with the castle of Gerberoy in the Beauvaisis from which Robert's raids forced the Conqueror to battle.⁵¹ Philip had been hostile to Normandy since coming of age, and so the duchy's domestic troubles provided a welcome opportunity.⁵² However, there is still a sense that the Capetian king, despite his status as overlord, was just one of several competing princes. Robert did not seek him out first, even though he had probably performed homage to Philip for Normandy, and royal support for the uprising was hardly unswerving. Philip had recently enjoyed military success over the previously dominant Duke William, and so was hoping to capitalise on this by making the unexpected but powerful ally of his enemy's son. Malmesbury later recognised Curthose's supporting role on the northern French political scene, placing his discussion of Gerberoy within a section considering Duke William's foreign relations.⁵³ Philip seemingly quickly withdrew his support for Robert in the face of the ducal forces. A charter of January 1079, given at Gerberoy, records the attestation of both Norman duke

⁴⁸ *Ibid.*, p. 48.

⁴⁹ *GG*, 38-41 (quotation 41); *GND*, II, 104-5.

⁵⁰ For detail, Bates, *Normandy*, pp. 75-8, and Bates, *Conqueror*, pp. 59-65. For a Capetian perspective, E. M. Hallam and J. Everard, *Capetian France 987-1328* (2nd ed.; London, 2001), pp. 97-8.

⁵¹ Orderic, III, 108-9.

⁵² Hallam and Everard, *Capetian France*, pp. 99-100.

⁵³ WM, *GRA*, 476-9.

and French king, suggesting a reconciliation, while Orderic claims that Philip's representatives helped broker peace between duke and heir.⁵⁴

Philip continued to provide some backing to Robert as duke, but his support was sporadic and weak. In 1089-90 and 1094, Philip collaborated with Duke Robert against Rufus, as overlord coming to the aid of his vassal. Each time, however, Philip was bought off by the English king, and his commitment weakened over time, perhaps as it became clear that Rufus was gaining the upper hand.⁵⁵ Equally, it suited the king to keep Normandy weak and riven by warfare, rather than to allow one brother to re-create an Anglo-Norman realm of strength and stability. While the king was probably the first ally to whom Robert turned, Robert almost certainly explored other avenues of support, as all three brothers drew neighbouring rulers into their power struggles. Robert again sought royal backing after 1100, but the now aged and overweight Philip preferred to remain a neutral observer, perhaps also influenced by Henry's efforts to nullify a potential Franco-Norman alliance.⁵⁶

As the Capetian monarchy grew in power and hence status, royal involvement in Norman dynastic strife became more influential, but continued to demonstrate sporadic and self-interested political opportunism. This is illustrated by the influence exercised by King Louis on the Clito movement. The Capetian monarchy of the 1110s and 1120s was far stronger than its mid eleventh-century counterpart, and the issue of homage was particularly powerful in the protracted Clito-Henry struggle. Like his father, Henry never performed homage to the French king for Normandy, but there was a strong possibility of Clito doing so, thereby obliging Louis to undertake a full-scale campaign on his vassal's behalf, in recognition of his superior claim. Louis' acceptance of William Aetheling's homage for Normandy in 1120 was a significant victory for Henry, which would have surely ended Clito's hopes had the White Ship disaster not intervened.

⁵⁴ *RRAN: William I*, 28; Orderic, III, 112-3

⁵⁵ ASC E, 1090, 1094; WM, *GRA*, 546-9; HH, *HA*, 418-21; JW, 56-7, 70-3.

⁵⁶ Orderic, VI, 68-9, refers to envoys sent by Henry in 1105 to the royal court, while Suger, p. 70, inaccurately reports that Henry's offensive of 1106 was undertaken with royal approval (Suger, *Vie de Louis VI*, ed. Waquet, p. 98, offers a different reading). Hollister, *Henry*, p. 186, takes this to mean that Henry had persuaded the French king not to intervene in his campaigns.

The support of the French king therefore grew in importance over the period: it was increasingly directly sought out by ducal kin aggressors, particularly those with no basis of power within Normandy, and had a greater effect on the outcome of internal conflicts. Yet the king was rarely the only foreign power involved, nor was he necessarily the powerhouse of the alliance, belying his status as overlord of Normandy and also other northern French counties. For instance, Clito and his guardian Helias do not seem to have specifically targeted the French court for support, and in fact, Louis did not back Clito's cause until 1116 at the earliest, even though Louis was at war with Henry between 1109 and 1113, and Baldwin of Flanders was already in support of the young pretender.⁵⁷

Royal support for Norman rebels was governed by the rebels' practical usefulness to the Capetians' own political aims, and similarly other princes exploited the threat from internal rivals to undermine their powerful Norman neighbours. The opportunity for profit is demonstrated by the reported comments of Manceaux representatives to a claimant to Maine (then under Norman control), during the struggle between Curthose and Rufus in 1090:

“William, who violently seized so many men's lands and ... has for many years held us in his grip, is dead. And now his sons, one of whom rules England, the other the duchy of Normandy, are locked in deadly combat, plundering and burning each other's territories, and ferociously tearing each other to pieces.”

The speech ends with an invitation to take possession of Maine; the implied encouragement is clear, that he should make the most of Normandy's internecine troubles for his own political advantage.⁵⁸ Internal troublemaker and external patron were linked in symbiotic support. Orderic describes how the boy Clito was paraded around provincial courts by his guardian Helias de Saint-Saëns, to

let many magnates and highly born châtelains see his noble bearing. Always active, [Helias] won over those he could influence by prayers and promises to the side of the youth, and made public complaint [*querimonium*] about his deprivation, thereby persuading many to pity his misfortunes in their hearts.⁵⁹

Helias was successful in recruiting foreign powers to Clito's cause. At various times the counts of Anjou, of Flanders, and of Nevers, as well as the king of France and a number

⁵⁷ Orderic does not mention Louis in connection with Clito until 1118, but with reference to hostilities which had been current since 1116: Orderic, VI, 184-5. On Baldwin, Herman of Tournai, pp. 40-1.

⁵⁸ Orderic, IV, 192-3.

⁵⁹ Orderic, VI, 164-5.

of marcher barons such as the lords of Châteauneuf-en-Thymerais, united to back the movement; each had something to gain by supporting the cause. The waxing and waning of the movement followed the fluctuating fortunes of its supporters, and the consequent strength of their backing.

Curthose's movements during his first rebellion are obscure, but there is a sense that he sought backing far and wide. Orderic states that Curthose received support from Hugh de Châteauneuf-en-Thymerais and Robert count of Flanders, and perhaps less accurately suggests that he applied to 'other noble kinsmen who were dukes and counts and powerful lords of fortresses in Lotharingia, Germany, Aquitaine, and Gascony.'⁶⁰ The failure of these princes to provide him with military support suggests they had little to gain from opposing Duke William, given that they were not immediate neighbours. Similarly, only the neighbouring north-eastern French lords had backed William of Arques in 1052-53, united by a shared disquiet at the emerging Norman powerhouse.⁶¹

Ducal recourse to external support mirrors the actions of the kin aggressor. The duke rarely needed to turn to other princes for extra firepower against internal disturbances – suggesting the strength of his position compared to his challengers – but he did have to counter the foreign backing of insurgents. In 1079, the Conqueror successfully detached King Philip from Curthose's cause, and Henry I's 'foreign policy' up to 1128 was defined by Clito's threat. Indeed, the Clito conflict was characterised not by direct confrontation but by diplomatic manoeuvring, as each side sought to win over foreign powers in order to secure support and to deny support to the other side. Henry was only successful in securing the outright backing of the county of Blois. Although he enjoyed spells of passive peace with France, Anjou and Flanders, and was at times able to nullify their support of Clito, Henry made no active alliances against the Norman pretender.

The response within Normandy to internal ducal strife is the third factor to consider in relation to the distinctiveness of conflict. Baronial support was always essential to drive the challenge of a ducal kin-member, but after 1066 the significance of aristocratic backing intensified. This is seen most vividly in the long-running Clito conflict, in

⁶⁰ Orderic, II, 358-61; III, 102-3; WM, *GRA*, 502-3, even has him journeying to Italy.

⁶¹ Bates, *Normandy*, p. 77.

which the young pretender and his baronial champions were locked in a necessarily symbiotic relationship, one providing the vehicle for the threat, the other the fuel. The words of Orderic on Clito's death demonstrate this mutual dependency: 'all the power and daring of those who had supported him against his uncle crumbled away. They had no one to lead them in their rash pride after they lost the young leader for whose sake they had ravaged the fields of Normandy with fire and sword.'⁶²

We cannot know the harsh words or blows that may have been exchanged between duke and heir, or between rival brothers, before spats developed into challenges significant enough to reach the historian's pen.⁶³ But without baronial support to provide men, money and momentum, challenges from within the ducal family could not get established, as is illustrated by the lack of threat posed by Henry when in exile in the early 1090s, and by Clito during his periods of isolation. Aristocratic support is attested for the two major kin rebels before the Conquest, Guy of Burgundy and William of Arques. Poitiers describes how William of Arques subverted powerful men away from the duke in preparation for treachery, while others defected during the siege of Arques.⁶⁴ Guy too attracted significant support. Poitiers claims, with some exaggeration, that 'the greater part of Normandy followed the banner of disloyalty', and records that civil wars (*bella domestica*) were extinguished with Guy's defeat, echoing Biblical admonition of opposition to Christ's kingdom.⁶⁵

Aristocratic support for kin challengers to the duke, like foreign support, was determined by pragmatic interests. Hagger has shown that Guy's fellow insurgents in 1047 were provoked by personal grievances arising from loss of power or lands. For instance, Haimo Dentatus perhaps hoped to win back the lands of an exiled tenant and ally, while Ralph of the Bessin almost certainly aimed to recover lands of which his father had been unjustly deprived, an aim in which he succeeded. On this basis Hagger concludes that the rebellion was no different from others of the time, in being motivated primarily by individual, practical concerns. It was therefore comparable to the later

⁶² Orderic, VI, 380-1.

⁶³ An exception to this is Orderic's narration of a brawl between the three sons of the Conqueror at a house in Laigle in 1077, which precipitated Curthose's flight and first rebellion. Saint-Evroul is less than ten miles from Laigle, and Orderic probably owed this information to local knowledge. Orderic, II, 356-9.

⁶⁴ GG, 34-5, 42-3.

⁶⁵ GG, 10-1. *Psalms* 2. See also GND, II, 120-1, on Guy's skilful detachment of magnates from the ducal allegiance.

Clito movement, in which disparate personal grievances found expression under a veil of legitimacy provided by the leadership of a ducal kin-member.⁶⁶ Wace's account of Ralph Taisson at Val-ès-Dunes further demonstrates the individual basis for baronial support or opposition. Duke William reassures the French king that Ralph and his men will fight on the ducal side, since "[Ralph] has no quarrel or conflict [*estриф ne ire*] with me." And so it proved, but not until Ralph had made sure of the wisdom of his decision by first watching the progress of the battle before joining the ducal forces.⁶⁷

The Conquest led to greater opportunity and greater cause for baronial exploitation of internal ducal strife. As discussed in the previous chapter, the new political situation had led to difficulties and uncertainty over the succession, in theory and in practice, and after 1087, the potential for discord was ever-present. Norman and foreign lords could legitimately support either claimant brother; both were lawfully ruling sovereigns. The Conquest also presented the Norman nobility with dilemmas of their own. The acquisition of huge tracts of new land necessitated more complex management of estates and provisions for inheritance for the newly cross-Channel aristocracy.⁶⁸ The barons could now not only exploit pre-existing internal divisions in the ducal house, but instigate them as well.⁶⁹

The major problem which the baronage faced after 1087 was that of divided lordship. Orderic demonstrates this in his depiction of the baronial council in the aftermath of 1087, no doubt imagined but a likely reflection of contemporary concerns. The nobles bemoan their decline in power and wealth since the division of the realm, lamenting "How can we provide adequate service to two lords who are so different and who live

⁶⁶ Hagger, 'Cotentin', 36-41.

⁶⁷ Wace, *RR*, pp. 134-6; for the Anglo-Norman, *Roman de Rou*, ed. A. J. Holden (3 vols; Paris, 1970-73), II, pp. 30-7.

⁶⁸ See chapter four, pp. 151-2.

⁶⁹ A similar argument is made by Bickford Smith, *Orderic Vitalis*, pp. 309-16 (quotation at 315), who judges that 'this manoeuvre [of ducal kinsmen advancing claims to the duchy with guaranteed baronial support] was repeated with such regularity between 1087 and 1128 that it can safely be described as part of the structure of Norman politics.' Strevett, *Anglo-Norman Aristocracy*, even argues that aristocratic conflict in the 1090s not explicitly connected to the succession – in particular the rebellion of 1095 – was, in fact, rooted in the Anglo-Norman succession and the division of 1087, though his emphasis is on aristocratic concerns over royal legitimacy rather than aristocratic desire for profit and advancement. Similar to my suggestion here, Aurell, 'Révolte nobiliaire', argues that the re-appearance of the Capetians on the Plantagenet political scene enabled nobles to justify their sedition as support for the Capetian overlords. See also D. Crouch, 'Normans and Anglo-Normans: a divided aristocracy?', in Bates and Curry, *England and Normandy*, pp. 51-67, at p. 61.

so far apart?”” The decision is taken to depose or kill Rufus, and to make [*constituamus*] Curthose ruler of both lands in order to ““preserve the union of the two realms [*regni*].””⁷⁰ The post-1066 situation had clearly created significant room for manoeuvre in the Norman succession, with the magnates apparently taking independent decisions on the political future of the Anglo-Norman realm. The Conquest had undeniably brought major change for the aristocracy, whether the preference was for union between the two lands, for outright division, or for a separate but linked co-existence. There was probably not one solution unanimously favoured, but dissenters could now always rally to the banner of unity, or to the claim of a certain descendent of the Conqueror, making it possible for the baronage to instigate and exploit ducal dynastic fissures.

The clearest demonstration again comes from the Clito movement. Clito’s claim handed political opportunity and momentum to the aristocracy, who used the threat of a rival ducal claimant to promote their own grievances. Clito’s menace was hollow without support, but when the ducal pretender was lost – even if he was little more than a figurehead – the entire enterprise fell away. It can be seen time and time again during the protracted warfare that astute nobles used the leverage provided by Clito’s very existence to extract grants of lands, castles, and marriages from the beleaguered Henry, in both England and Normandy. The case of Richer de Laigle exemplified this self-interested and subtle manoeuvring. Eager to obtain his English inheritance, Richer first joined King Louis in retaliation for Henry’s retention of the lands, and then returned to Henry, having extracted himself from his arrangement with Louis, on Henry’s promise to restore his patrimony.⁷¹ William de Roumare, meanwhile, joined the pro-Clito Norman unrest of 1123-24 in reaction to Henry’s refusal to grant him his maternal inheritance, and only abandoned his pillaging when the king eventually gave in to his demands.⁷² Both Henry and Clito recognised the exploitative nature of baronial involvement. Only by deserting Clito could nobles be reconciled to ‘the mighty prince’, and on his deathbed Clito apparently wrote to his uncle to beg that his erstwhile allies

⁷⁰ Orderic, IV, 120-5.

⁷¹ Orderic, VI, 196-9; discussed at Hudson, *Land*, p. 127.

⁷² Orderic, VI, 332-5.

be readmitted to royal favour, aware that his death would end their legitimate means of opposition.⁷³

Depictions of the magnates' discussions of 1087-88 and 1101 also demonstrate the power of baronial interests: Curthose is favoured in 1088 as an easier ruler, and the same preference is expressed in England in 1101, since a lenient ruler would enable the nobles 'to pursue their evil ambitions.' In Normandy, the barons plotted to offer the duchy to Henry, seeking a firmer hand after having suffered under Robert's lax rule. Orderic stresses the active role of the mischief-makers. In England, 'turbulent magnates ... began to hold treacherous conferences with one another and advised the duke to prepare a fleet and cross at the earliest opportunity', while in Normandy, the barons sent 'messenger after messenger to tempt [Henry] to accept [the duchy].'⁷⁴ Speaking more generally, in the context of Norman-French warfare over the Vexin, Orderic describes how the Vexin lords 'were uneasy because no man can serve two masters, [so] chose the one who had keener followers and was better provided with riches.'⁷⁵ The dominance of baronial pragmatism also emerges from the treaty negotiations of 1091 and 1101.⁷⁶ Orderic claims that peace in 1101 was only reached when Henry and Robert met face to face, since the envoys, 'wicked men who had fomented discord between them', promoted personal concerns over the common good.⁷⁷ William of Malmesbury similarly notes aristocratic self-interest at work in 1091, linking the barons' attitudes to property concerns: '...each party [was] roused to fury by the nobles, men of no worth at all and loyal to neither side. A few men of more sense, consulting their own interests [*suis commodis*] as they had possessions on both sides of the Channel, negotiated a peace...' ⁷⁸ The case of William II de Warenne provides an example. In 1103, he induced Duke Robert to enter England and persuade Henry to return his forfeited lands. Warenne asserted that, since he had lost his earldom on the duke's account, 'it would be

⁷³ Orderic, VI, 282-3, 378-9. See Power, *Frontier*, pp. 376-8, for a geographical breakdown of Clito's support in the 1118-19 campaign, showing how it was related to local grievances: he calls the conflict 'a tapestry of interwoven claims and disputes' (p. 378).

⁷⁴ Orderic, IV, 122-5; Orderic, V, 306-11.

⁷⁵ Orderic, V, 214-5.

⁷⁶ See Strevett, *Anglo-Norman Aristocracy*, pp. 182-209, for a recent discussion of the treaties of Rouen and Winchester.

⁷⁷ Orderic, V, 318-21. Robert of Torigni also blames the resumption of war upon corrupting Norman nobles: *GND*, II, 220-1. See also *BR*, p. 38: 'Count Robert, putting too much faith in men who preferred the brothers' discord instead of their peace, began to seek excuses again for stirring his brother to discord.'

⁷⁸ WM, *GRA*, 548-9.

proper for Robert to become fully reconciled with his brother the king and intercede to secure the restoration of William's former honour'. The mission succeeded in reclaiming Warenne's estates, but also increased the friction between the brothers, since Henry regarded the unannounced appearance of the duke as an invasion. The Anglo-Norman peace was placed on a knife-edge, an outcome surely foreseen by Warenne.⁷⁹ Later, only a few major Norman barons persisted in their support for Curthose up until Tinchebray. A significant number defected to Henry as the odds in his favour grew, and at least some of those who remained with the duke had no other option, having burnt all their bridges with the English king.⁸⁰

The final feature that might distinguish ducal family conflict is the role played by emotion and interpersonal friction, an element that might be seen as specific to kin discord. The study of emotion in medieval history is something of an academic minefield. Central problems remain unresolved and tend to complicate any assessment of the issues. For instance, should emotions be seen as universal, innate to humans and human behaviour, or as social constructions dependent upon time and place? Was medieval emotional life the same as our own, or if not, how divergent were the experience, the display, and the impact of emotion?⁸¹ The role of emotion in political behaviour presents particular difficulties, since emotion in this context was nearly always performed publicly. Stephen White has commented that displays of anger can be seen as 'conventionalized responses to certain kinds of past political acts, as political acts in themselves, and as motives for future political acts.' 'Anger', he observes, '...has a well-defined place in political scripts in which other emotions figure as well.'⁸² Similarly, Richard Barton has expounded the role of anger in the (re)negotiation of political and social relations.⁸³ Despite such difficulties, clashes of personality and temperament should be considered as potentially important factors; personal tensions must have played some role in ducal kin strife. However, here I suggest that this is not

⁷⁹ Orderic, VI, 12-5.

⁸⁰ Robert de Bellême, Edgar Aetheling and William de Mortain had all been exiled, or had exiled themselves, from England and lost their English lands. See S. L. Mooers, "'Backers and stabbers": problems of loyalty in Robert Curthose's entourage', *Journal of British Studies* 21 (1981), 1-17, who argues that Curthose's reign as a whole was fatally undermined by the disloyalty of his entourage (14-15 on the period up to Tinchebray).

⁸¹ B. H. Rosenwein, 'Introduction', in Rosenwein, *Anger's Past*, p. 2; S. D. White, 'The politics of anger', in Rosenwein, *Anger's Past*, pp. 127-152, at p. 146.

⁸² White, 'Anger', pp. 141-2.

⁸³ Barton, "'Zealous anger'".

necessarily unique to family conflict, but a potential factor in conflict within any social system or grouping.

The discord between the Conqueror and Curthose is the clearest instance of a quarrel seemingly affected by a clash of personalities. Bates suggests that father and son hated one another.⁸⁴ Orderic has the Conqueror publicly mocking his son, and a number of sources claim that at Gerberoy, Robert personally wounded his father, some adding a curse uttered by William against Robert.⁸⁵ Contemporary commentators evidently believed that the quarrel took on a personal and emotional dimension, although questions of causality pose difficulties. Robert's second estrangement was a risky undertaking with certainly England, and perhaps Normandy, still to play for. Robert may well have been driven by personal differences with his father, in his desire to escape the royal court and the Conqueror's domineering influence, heightened by the loss of his two likely confidantes, Matilda and Odo.

William may also have had a grudge against Bishop Odo. The half-brothers had been close allies, and Odo was one of William's most trusted men: the king had assigned rule of England to Odo and William fitz Osbern during his absence. Odo's fortunes then were quite reversed; not knowing the precise nature of his crime, it is difficult to assess whether the punishment related to the seriousness of his transgression, or was augmented by the king's personal animosity. Clearly William felt he had been betrayed, and since the king's severity towards his former close ally persisted until his own death, it is tempting to posit that personal friction between these two famously large characters underlay the discord.

Personal antagonism could thus aggravate, if not necessarily provoke outright, quarrels within the ducal family. How did these personal and emotional dealings affect the conduct of disputes? Should we expect greater or lesser ruthlessness – the former based on resentment at the breach of important social and emotional ties, the latter based on the restraining influence of biological and affective ties? William of Poitiers had not made up his mind. He used the bonds of kinship to justify Duke William's mild

⁸⁴ Bates, *Conqueror*, pp. 144, 239.

⁸⁵ Orderic, III, 112-3; ASC D, 1079; WM, *GRA*, 476-7; JW, 30-3 (who has Robert unaware of his father's identity); Hyde, p. 297; RT, 1106.

treatment of two defeated kin rebels, stating of the count of Arques, for instance, that the duke thought it better to ‘remember that he was his paternal uncle than to pursue him as an enemy’. Yet elsewhere, Poitiers claimed that kinship should play *no* role in the judgement of wrongdoing, and reproached those who let such affections sway them (quoted below, p. 114).⁸⁶ Personal ties could have a positive or a negative impact, depending on the circumstances and characters involved. Instances of the former, though, are more common in the sources, since they gave the opportunity to highlight ducal chivalry and clemency. Duke Robert angered Rufus when he allowed food and drink to be delivered to their besieged brother Henry and his thirsty men at Mont-Saint-Michel, thereby forfeiting their strategic advantage. ““Good heavens””, Curthose exclaims, ““should I leave our brother to die of thirst? And where shall we look for another if we lose this one?””⁸⁷ The focus is on the duke’s chivalry and mildness, but it is not clear if it is the treatment of his brother specifically, or of his opponents more generally, which is lauded.

It is also reported that Curthose, having unwittingly wounded his father, stayed his arm on recognising the Conqueror at Gerberoy, and gave William his own horse on which to leave, as the king had lost his own.⁸⁸ Again, there are other considerations here; Robert was probably acting in acknowledgement of William as his lord and king, and it is unlikely that he ever intended to commit regicide. Poitiers claims that kinship tempered the ducal treatment of Guy of Burgundy and William of Arques, but also attributed the duke’s leniency to pity, ‘the humble submission and the wretchedness of the defeated’, and to his exemplary clemency. Clemency also carried an element of humiliation of the rebel, implying that he was not even worth punishing. Furthermore, it is stated that Duke William forgave nearly *all* of the rebels in the aftermath of each uprising, suggesting that kinship played a relatively minor role.⁸⁹

There are few statements in the chronicle sources that suggest unusually harsh pursuit or treatment of a dynastic rebel, as this would not reflect well on the duke. Instances are necessarily conjectural – such as Odo’s long imprisonment being affected by William’s anger at a perceived personal betrayal. Any desire to treat a family member with extra

⁸⁶ *GG*, 12-3, 42-3, 86-7.

⁸⁷ *WM*, *GRA*, 552-3.

⁸⁸ *JW*, 30-3.

⁸⁹ *GG*, 12-3, 42-3.

severity would be tempered, in the case of direct descendants at least, by recognition that these were the very individuals upon whom the continuation and success of the dynasty depended. Alternatively these kinship bonds may not have been as significant and inviolable in practice as some readings of the evidence suggest, and so their breach not such a grave matter.

There is recognition that family desertions carried a personal element. On his deathbed, William laments the disloyalty he suffered during his youth: ““My closest friends and kinsmen [*proximi consanguineique*], who ought to have defended me with all their might against all men, frequently conspired and rebelled against me, and robbed me of almost all the inheritance I had received from my father.””⁹⁰ There is also an appreciation that the duke could act on the basis of a personal rationale, and, similarly, that deeds could be directed personally against him. It is always the common good, though, that should take precedence. William of Poitiers notes that Duke William hurried to redress both the personal affront and the evil done to his duchy by Arques’ uprising, but ranks care for the duchy as the greater spur.⁹¹ Meanwhile Orderic stresses that William’s doom-laden warning on his deathbed against Bishop Odo was not affected by personal acrimony: ““I declare this not through hatred as an enemy, but as the father of my country providing for the welfare of my Christian subjects.””⁹² Poitiers similarly implies that personal interests should be entirely disregarded for the wider good, as he reported the deposition of Archbishop Malger:

Many good people, misled by carnal affection, spare the crimes of those who are their blood relatives [*sanguinis propinquitate*], not wishing to degrade them from the high offices over which they preside unworthily. Blinded by love, they judge these men with extreme leniency; others they judge strictly, with keen perception. But William ..., knowing that filial affection was never to be preferred to divine love, wisely and justly made God’s cause triumph against his paternal uncle, Archbishop Mauger [*sic*].⁹³

It seems, therefore, that personal and affective ties played some role, though in varying ways. It is difficult to attribute this specifically to the relationship being familial, because non-familial internal disputes are said to be affected by personal ties and

⁹⁰ Orderic, IV, 82-3.

⁹¹ GG, 36-7.

⁹² Orderic, IV, 100-1.

⁹³ GG, 86-7.

familiarity in a similar manner. The physical attack on King Henry by William Crispin was apparently motivated by hatred, and Robert de Bellême's treacherous activities were explained by his loathing for his lord.⁹⁴ From the ducal perspective, the breach of fealty was the crucial transgression. Speaking of the rebels condemned to blinding in 1124, Orderic has Henry explain the justice of his pronouncements:

“Geoffrey and Odard with their lord's consent became my liege men, and they broke faith with me when they deliberately committed treason ... They ought rather to have sacrificed all they possessed to preserve the fealty they had sworn to me than to have given their support in any way to any man opposing the law, and to have broken the covenant with their liege lord by foully betraying their trust.”⁹⁵

Ties of homage and fealty, and their breach, were regarded as more significant than familial ties in episodes of ducal kin conflict. These too were personal ties, but formalised rather than inborn like kinship. It is as disloyal vassals that dynastic rebels are usually condemned by commentators; often accused of perjury, their greatest crime is the subversion of other vassals against the duke. Orderic repeatedly castigates Guy of Burgundy for disdaining his homage and fealty to Duke William, while Wace, who held familial loyalty in high regard, passionately denounces the breach of lord-vassal bonds at Tinchebray.⁹⁶ Even the Conqueror's deathbed lament on the apparently personal nature of the treachery he had faced as a boy, cited above, could apply to any internal discord. It is difficult to distinguish between the roles of familial ties and of fealty ties in struggles within the ruling family, since the duke was both lord and father / brother / uncle / nephew to his kin challengers, but the indications are that lordship obligations were weightier.

Evidence that personal and emotional clashes had a role in conflict is therefore patchy, but this should certainly not be overlooked as an aggravating factor, particularly in situations of immediate confrontation rather than distant rivalry (Curthose and the Conqueror, for instance, as opposed to Henry and Clito). Even when there is such evidence, other co-existing ties confuse the issue, and clearly the influence of interpersonal factors is not limited to kin conflict. The difficulty lies in the fact that what would be recognised today as the 'personal' and the 'political' realms, that is matters relating to individuals and matters relating to power and rule, did not constitute

⁹⁴ Orderic, VI, 238-9, 178-9. See also the insult levelled against the Conqueror by the imprisoned Earl Roger of Hereford, who scorns the king's Easter gift of rich clothes by burning them: Orderic, II, 318-9.

⁹⁵ Orderic, VI, 352-3.

⁹⁶ Orderic, IV, 82-5; Wace, *RR*, pp. 219-20. For this argument, chapter one, pp. 39-40, 48-9.

separate spheres of action in the eleventh and twelfth centuries, and there was no conception of such a distinction. Instead, the two were intertwined in a political culture in which 'emotional display, physical posture, and political act are all neatly fused together.'⁹⁷ A demonstration of this is Henry's deathbed removal of Geoffrey of Anjou from his succession plans in retaliation for the count's offences: 'he assigned all his lands on both sides of the sea to his daughter in lawful and lasting succession, being somewhat angry with her husband because he had vexed the king by not a few threats and insults.'⁹⁸ Geoffrey's deeds and Henry's revenge related to their 'personal' and their 'political' interests (in modern parlance), which to them were indistinguishable. We might also look to the unfortunate Luke de la Barre, who was punished in 1124 not for his opposition to Henry, not unlawful as he had not done him homage, but for slights against the king, through his 'scurrilous songs' and 'rash escapades.'⁹⁹ Despite the difference in his offence, Luke was still condemned to blinding as a traitor: the upshot of his subversive actions was considered the same – undermining Henry's authority in Normandy – regardless of the method employed, and so the punitive response remained the same.

Ducal family strife fits in with the pragmatic political world of eleventh- and early twelfth-century Normandy; little sets it apart. Where internal ducal strife *does* appear different in some way, the distinction revolves around whether the aggressor was a potential heir or not, rather than whether he was kin – demonstrating the importance of the framework of succession and rule to conflict, and underlining the paradoxical position of the adult heir.

The increase in conflict after 1066

It is clear from the response of foreign powers and particularly the internal baronage that conflict within the ruling family became embedded in the (Anglo-)Norman political world after 1066. The obstinately unending hostilities of the post-Conquest years also demonstrate the greater potential for the outbreak and prolongation of conflict. Certainly, incidental factors contributed to this, such as personal tensions, biological

⁹⁷ White, 'Anger', p. 147.

⁹⁸ WM, HN, 24-5.

⁹⁹ Orderic, VI, 352-5.

chance, and unexpected events – Henry’s misfortune in losing his only legitimate son is a prime example. The exact configuration of the ducal family in this period probably led to generational tensions, both between and within generations; the longevity of William the Conqueror combined with the short generational span between himself and his children meant that his eldest son, at least, reached adulthood long before William was ready to pass on the mantle of power.¹⁰⁰ In this section I assess the role of two major structural factors in the prevalence of strife after 1066 – the practice of ducal succession, and the broader expression of baronial discontent – to consider why ducal family conflict became endemic.

Any system of dynastic political rule in which authority is vested in one lineage alone, giving that lineage a unique blood right to the throne, is vulnerable to destabilising threats and demands from non-ruling members of the dynasty. Kin-members presented a threat to the position of the ruler, and therefore to political stability, by their very existence: their alternative claim could be exploited by discontented individuals for their own ends. In a political system in which rule was passed directly down the generations, sons and heirs were necessary but posed great danger. Certain modes of rule and succession can therefore be seen as giving rise to certain patterns of dynastic conflict.¹⁰¹

Concerns of dynasty were intertwined with concerns of government and rule. Marital alliances provide a good example: Curthose’s betrothal in 1062 to Margaret, the heiress of Maine, was orchestrated by his father during the Norman struggle against Anjou for control of Maine. I have shown in chapter two that most ducal family conflict was based on the issue of the succession, and that the implications of 1066 resulted in ambiguities in the theory and practice of ducal succession, which were then exploited leading to further conflict. Even if a dynastic rebel was not seeking immediate or future rule for himself, he was exploiting his potential to do so in order to extract other concessions. The focus therefore must be on the mode of choice of heir and transfer of power, since

¹⁰⁰ See chapter two, n. 101.

¹⁰¹ See Bachrach, ‘Family hostility’, who posits that Norman governmental organisation dependent upon ‘highly integrated administrative structures’ arose because of the Norman ‘tradition’ of family hostility, and Searle, *Kinship*, who argues that the Normans relied upon ‘family politics’ *instead* of institutional government. Davis, ‘Norman succession’, uses a framework for a development in Norman succession modes, from association, to designation, to a legal hereditary system, to suggest a link between succession practices and the likelihood of dynastic conflict. Although I disagree with these arguments, the approaches are all based on the general notion that modes of government and succession were fundamentally linked to internal strife within the ruling family.

these were the structural issues which gave rise to conflict. Here I look over the longer-term at the practical aspects of how the duchy was passed on, and suggest that the changes wrought on the ducal succession after the Conquest account for the prominence of internal ducal discord.¹⁰²

The pre-1066 practice of designation was relatively successful at containing the potential for internal power struggles. The ceremony was performed late on during the duke's life, leaving little time for the duke-designate to grow impatient: homage was carried over from father to son, there were no difficult issues of power-sharing or allocating resources, and the heir would shortly become full duke in his own right.¹⁰³ Apart from the Archbishop Robert episode, pre-1066 ducal family quarrels do not cluster at times of succession. While disputed succession and rule did facilitate opposition, it was not disquiet over the mechanism of designation and succession itself which provoked conflict, but discontent related to the distribution of resources and privileges within the established ducal circle.¹⁰⁴

The conquest of England inevitably affected ducal succession politics. The custom of designation followed by succession did not continue to operate in the same manner, nor did it apparently hold such power and prestige. The unusual designation of 1066, raising the problems of power dispersal which the established procedure had avoided, was an early sign of the difficulties created by the new political situation. Curthose continued to bear the temporary status of duke-designate after 1066 for the rest of his father's rule. The expectant heir, now elevated to the position of designated future duke, could use this status to claim a greater share in power and a certain measure of autonomy. Since Robert had received the traditional heir's endorsement of designation so early, William had nothing left to grant Robert that would not significantly detract from his own power

¹⁰² For an important and perceptive discussion of the relationship between the system of heredity and social, political, and legal change, see Martindale, 'Succession', especially p. 40. She argues that changes in modes of succession must be seen in their institutional context, as attempts to secure political stability, and that succession disputes probably did precipitate wide-ranging change in matters of kingship, law and custom.

¹⁰³ Garnett, "'Ducal' succession', pp. 87-94, shows that there was no sharing of power within ducal designation and succession.

¹⁰⁴ P. Stafford, *Unification and Conquest: a Political and Social History of England in the Tenth and Eleventh Centuries* (London, 1989), p. 80, makes a similar observation for pre-1066 England, suggesting that it was not succession disputes in themselves that were destabilising, but the drawn-out nature of the dispute and the later re-appearance of claimants on the political scene.

and wealth. The potency of the designation ceremony was weakened by Duke William's failure to hand over Normandy to Curthose once designated, and the rationale of designation – to carry authority immediately over to the duke's successor, with the duke close to death – was rendered void. The precedent set by this instance undermined the function and status of designation, and it was not employed again until 1115.¹⁰⁵

The relative security and clarity of earlier Norman succession practice was lost after 1066, as Norman concerns became entangled with English affairs. Garnett has shown how a fundamental mismatch between the Norman emphasis on coronation and the lack of designation or association of heirs undermined the stability of post-1066 successions in England and led to scrambles for the throne during chaotic interregal periods, which he convincingly traces to the legal circumstances of the Conquest.¹⁰⁶ This implies that an insecurity of succession was built into the post-1066 legal framework of England. While this exact argument cannot be extended to Normandy, the Conquest and its ramifications certainly affected the operation of the Norman succession. The strong political links between Normandy and England, the debate over unity or partition, and the impact of competing and complicating succession customs, led to a lack of clarity over the ducal succession. The parameters had shifted with the expansion of the ducal demesne, but the Norman framework for the descent of power was not adapted to take account of the new situation. The circumstances of the Conqueror's claim in 1066, the influence of competing English succession customs, the hardening of other succession customs, and the precedent set by the confusing early designation and ambiguous status of Curthose, steadily eroded the procedures of ducal nomination, designation and succession.

The destabilising effect of the Conquest on the Norman succession process is evident from the periodic but regular waging of dynastic strife after the death of the Conqueror, in whose person the Anglo-Norman polity had been wedded. Normandy may not have experienced anarchic interludes between rulers and hurried coups like England, simply because England had become the focus of the dash for power, but both hiatuses to ducal rule, in 1087 and in 1135, nevertheless saw significant upheaval. By the twelfth century,

¹⁰⁵ Bickford Smith, *Orderic Vitalis*, pp. 309-15.

¹⁰⁶ G. S. Garnett, 'Coronation and propaganda: some implications of the Norman claim to the throne of England in 1066', *TRHS* 5th ser. 36 (1986), 91-116; see also Church, 'Death', on hurried political action during English interregna.

Anglo-Norman kings recognised the need for a firm succession: Henry I, and later, Stephen and Henry II, manoeuvred (with varying degrees of success) to obtain recognition of their successor through public ceremonies of designation and, later, coronation.

The second major influence on the prevalence of ducal family conflict after 1066 is baronial involvement. The outbreak of struggles at the highest political level gave the nobility the opportunity to bring grievances to the attention of the ruler, and to pursue feuds and settle scores amongst themselves. Such rivalries were played out through direct opposition, with the antagonists divided by their support for the broader conflict, or through the waging of local warfare under the veil of wider disorder. For instance, rivalry between the men of Laigle and the men of Gacé probably played a large role in the regional disturbances during the political clashes of 1118 and 1136, and hostility between Robert du Neubourg and Waleran de Meulan, rival land claimants, provoked the former to support the Clito movement.¹⁰⁷ Meanwhile, the waxing and waning of the protracted feud between the Bellêmes and the Giroies-Grandmesnils in southern Normandy underpinned each side's involvement in duchy-wide disturbances, and enabled proponents of such disturbances, particularly Curthose during his first rebellion, to use these local rhythms to their advantage.¹⁰⁸

Discord within the ruling house provided the best opportunity to air grievances and pursue local disputes, particularly as the growth of ducal authority limited 'private' baronial warfare.¹⁰⁹ An expression of internal dissent was most effective when led by a

¹⁰⁷ On Laigle and Gacé, Orderic, VI, 248-51, 462-3; Power, *Frontier*, p. 179, and, for context, Thompson, 'Lords of Laigle'. The case of Robert and Waleran features in chapter four. A further case may be seen in the rivalry between the Montgomerys and the Grandmesnil and Courcy families in southern Normandy; Thompson has suggested that the hostility in the early 1090s 'expressed itself by their declaring for opposite sides in the struggle between Curthose and Rufus.' K. Thompson, 'Robert of Bellême reconsidered', *ANS* 13 (1991), 263-286, at 271.

¹⁰⁸ Bickford Smith, *Orderic Vitalis*, parts two and three.

¹⁰⁹ Power, *Frontier*, pp. 178-80. Bickford Smith, too, has highlighted this 'nationalisation of grievance', concentrating on local society: he suggests that as one dominant local authority emerged, thereby upsetting the equilibrium of power, feud was no longer an effective means of settling disputes. The only outlet for the prosecution of such quarrels was therefore 'national' rebellion, leading to an intertwining of local and duchy politics in the second half of the eleventh century. Bickford Smith, *Orderic Vitalis*, part three; pp. 300-4, 307-8, for a summary. See also Aurell, 'Révolte nobiliaire', for the argument that struggles within the Plantagenet ruling family were brought about by noble aggression at the peripheries of the empire, so the political division of the empire, and the policy of setting up a representative of the ruling family in each region, underlay the recurrent dynastic strife.

figurehead from the ruling family, in name if not in substance, providing the malcontents with a semblance of a legitimate cause behind which to unite. Uprisings in the name of a scorned ducal kinsman were the most likely to gather momentum, present a serious threat and force the duke into action. There was therefore stored-up pressure from below that ducal kin aggressors could tap, whenever a fissure appeared within the ducal house. As the implications of 1066 were worked out and particularly once the dominating influence of Duke William was removed in 1087, the near constant presence of at least one ducal or royal pretender, with a strong enough claim to launch a sufficiently threatening challenge, facilitated the focus of baronial discontent upon wider conflict.

In this way, struggles within the ruling family proved a magnet for malcontents, but it was not the only shape that internal unrest could take: baronial rebellion without the involvement of a ducal scion, urban unrest and regional turbulence all provided avenues for expressing grievance and promoting personal ambition. For instance, there is little to link the coalition of dissenting Norman magnates who opposed Henry I between 1111 and 1113, in alliance with the French and the Angevins, to the cause of William Clito.¹¹⁰ Further examples of dissent away from ducal dynastic politics include the Rouen uprising of 1090, the armed discontent of Roger de Montgomery centred on Saint-Céneri, and the various manifestations of the turmoil wrought by Robert de Bellême.¹¹¹ Charter evidence also attests plenty of disputes over land, while some of the 45 homicides recorded in the Norman pipe roll of 1180 (the earliest record of such material) must have arisen from local disputes and power struggles.¹¹²

Furthermore, because the incidence of ducal family strife increased after 1066, a period for which we possess sources in greater quantity and quality, perhaps the apparent baronial reliance upon duchy-wide disorder to wage local warfare is a distorted impression. Not all disputes in Normandy necessarily involved the duke, but, with the exception of Orderic, the sources are concerned with high politics rather than local squabbles over land and influence. The *Ecclesiastical History* frequently reports small-

¹¹⁰ Orderic, VI, 176-83.

¹¹¹ Orderic, IV, 220-7; Orderic, IV, 148-9, 154-5; Orderic, IV, 228-37, Orderic, VI, 32-7.

¹¹² M. S. Hagger, 'Crime and flight in Normandy, c. 1080-1180: law, violence and social bonds', unpublished paper given at *Law, Violence and Social Bonds, c. 900-1250*, University of St Andrews, 17-19 June 2011.

scale local raiding and feuding; while some of these disputes intersect with wider unrest, plenty occur independently of duchy-wide happenings.¹¹³

The impact of conflict

So far, I have shown that ducal dynastic conflict was not set apart as extraordinary, but integrated into contemporary political society; and that two underlying factors, the undermining of ducal succession practice and the need for a baronial outlet for grievance, led to ducal discord becoming entrenched in the post-1066 Norman political world. It is worth considering the impact of strife: if it was an accepted and recurrent fact of political life, how potent did it remain? I suggest that while conflict operated within certain limits, it remained a powerful force working against the stability of the duchy, like any form of internal discord. First, I consider the disruptive aspect of conflict, and suggest that the idea that it paradoxically reinforced the ruling house may be relevant only to pre-1066 Normandy. Second, I focus on the factors which limited conflict and its impact, namely the self-serving nature of its support, and the restriction of claim, and therefore threat, within the ducal family.

Conflict was of course a force for disruption. Strife within the ducal dynasty was inherently destructive, casting future rule into doubt as well as creating immediate disorder, by handing political opportunity to the aristocracy and to foreign rivals.¹¹⁴ Duke William suffered the low point of his reign in his defeat by his son in 1079, while Henry I was repeatedly forced to concede lands and money to guarantee support against Clito. The presence and influence of dangerous elements within the duke's own kin, in alliance with an opportunistic baronage, imbued Norman rule with a precariousness which was only amplified after the Conquest.

However, the long-term view – the preserve of the historian for better or for worse – emphasises the more durable effects of conflict within the ruling family; such a perspective can be a valuable corrective to the assumption of all-destroying violence.

¹¹³ For two examples, Orderic, III, 134-5, and Orderic, IV, 198-203. This is discussed further in chapter four.

¹¹⁴ Similarly (but focusing purely on succession disputes), see Martindale, 'Succession', p. 40: 'Inheritance and doubts over succession in a county, principality or, still more, a kingdom, could have repercussions which would destroy political equilibrium and endanger the conduct of government.'

Karl Leyser has made an influential argument for the cohesive and stabilising effect of political dynastic conflict. He suggested that it brought some continuity and unity to the ruling dynasty (in his work the Liudolfing kings) through its focus on the dynasty itself; opposition to the ruler was always concentrated on another member of the ruling house, so if there was no dynastic claimant, there was no rebellion, and this strengthened the royal lineage.¹¹⁵ Garnett has applied this concept to pre-1066 Normandy, showing that the lineal structure of the ducal succession was reinforced through the focus of civil warfare on the person of the duke or the ducal family.¹¹⁶ This is a reasonable contention, while Leyser's picture of an exploitative nobility focusing dissent upon rebellious representatives of the ruling house also rings true for Normandy.

This notion may have something to offer for pre-1066 Normandy, but, once again, the Conquest is the turning point. Ducal kin discord did not exclude other types of internal warfare; there were other channels for the promotion of discontent, as argued above. Garnett notes that after 1066, this system – the concentration of feuds on the ruling house serving to underline the house's legitimacy and bolster dynastic rule and succession – no longer fitted the context. The Conquest raised issues of partition and thereby cast into doubt established ducal succession practice, so there was no longer a simple lineal system of succession for such conflict to reinforce.¹¹⁷ Conflict after 1066 acquired a more threatening, destructive potential, since disputed claims could be exploited without obvious resolution. The possibility of any long-term reinforcement of established succession had become irrelevant, and conflict now spread damage across two lands.

Allegiances were less straightforward and more precarious in dynastic splits. The two sides were not opposed over a deep-seated moral or governmental issue, nor were they uniting to repel a foreign attack, but were divided by the basic question of who should be ruler, and (after 1087) how the Anglo-Norman polity should be ruled. Strickland has suggested that dynastic rebellions were particularly challenging for royal authority because the opposing sides were closely linked by personal ties and political empathy,

¹¹⁵ Leyser, *Rule and Conflict*, particularly pp. 105, 29-30.

¹¹⁶ Garnett, "'Ducal' succession', pp. 109-10.

¹¹⁷ *Ibid.*, p. 110; see also Garnett, 'Coronation', 115. This line of argument has been continued by Bickford Smith, *Orderic Vitalis*, particularly pp. 311-6.

thereby undermining support.¹¹⁸ Aristocratic backing was fickle; the inherently self-interested basis for allegiance meant that loyalties could quickly change as fortunes waned, or as demands were met. Each side depended on this shaky baronial support, affecting the force of any conflict. Threats to the status quo could emerge and fade quickly, since baronial commitment was so unpredictable. Generally, self-interest led the baronage ultimately to favour the ducal status quo, which therefore tended to limit conflict.

The pragmatic motivation of most barons was accepted and exploited by both duke and adversary, who relied on bribery and promises to attract support or to encourage defection. William of Arques subverted ducal vassals by acting as a mini-duke himself, and so Duke William's campaign against Arques was undermined by 'secret supporters of the rebels' conspiracy'.¹¹⁹ Curthose apparently bought his support during his first rebellion with cash and promises, so that 'many who seemed peaceful and fawned on the king and his followers unexpectedly allied with the enemies of the kingdom.'¹²⁰ Similarly, Orderic speaks of the suspicions which plagued King Henry during a difficult period against Clito and friends, claiming that he could not risk undertaking a siege as he did not trust his own soldiers: 'men who ate with him favoured the cause of his nephew and his other enemies and, by prying into his secrets, greatly helped these men.'¹²¹ The untrustworthiness of the forces may have affected the tactics and conduct of the battle of Brémule.¹²² Diplomacy and underhand dealings formed a major part of Henry's long battle against his nephew. Orderic describes Clito's struggles: 'His uncle's arm was long and powerful and formidable to him, for Henry's might and reputation for power and wealth were known far and wide from the west to the east', and 'he was resolutely pursued by many enemies, who used all kinds of wiles to cause his death.'¹²³ This is illustrated by Henry's severance of Clito's Angevin alliance, when he

¹¹⁸ Strickland, 'Warfare and baronial rebellion', pp. 74-7; he also shows that conflicts precipitated by heirs posed particular difficulties (pp. 77-8).

¹¹⁹ GG, 34-5, 42-3. Similarly, GND, II, 120-1, on Guy's pursuit of aristocratic support.

¹²⁰ Orderic, III, 102-3, 108-9.

¹²¹ Orderic, VI, 200-1. This theme is repeated in Orderic's account of the 1101 conflict ('many who had formerly made a show of supporting the king were eager to welcome the duke...'): Orderic, V, 306-321.

¹²² M. J. Strickland, 'Henry I and the battle of the two kings: Brémule, 1119', in Crouch and Thompson, pp. 77-116, at pp. 98-102.

¹²³ Orderic, VI, 358-9, 368-9. On Henry's intelligence system, Prestwich, 'Military intelligence', pp. 10-14; C. W. Hollister, 'The taming of a turbulent earl: Henry I and William of Warenne', *Historical Reflections / Réflexions historiques* 3 (1976), 83-91, at 88.

manoeuvred to secure the annulment of Clito's marriage with Sibyl of Anjou, and by Henry's acquiescence to the respective demands of Richer de Laigle and William de Roumare to ensure their return to the royal cause.¹²⁴

Bribery and defection also featured prominently in the warfare between Rufus and Curthose in the 1090s. Rufus understood baronial motivations; he enticed Norman nobles and castellans 'by gifts and threats', and elsewhere is seen cleverly discomfiting an aristocratic turncoat.¹²⁵ Rufus invites the baron to "take as much [money] as you like, and the same with land", before pointing out to him that his status and tenure of land was directly dependent upon Rufus' royal legitimacy: "Only mind you do not have my father's wisdom called into question; if you think he was wrong [to have nominated Rufus king], take care that this does not reflect on yourselves. The same man who made me king chose you as magnates." Rufus here was not explicitly arguing for his own legitimacy, but enforcing aristocratic fidelity, knowing it to be driven by material concerns, by threatening the legitimacy of those very concerns.¹²⁶

This instability of support was emblematic of all internal discord because of the inherent breach of fealty, rather than an anomaly arising from the familial dimension. Internal warfare necessarily involved vassals deserting their lord – at the highest level the king or duke, and perhaps baronial lords a level below – so partisanship appears weak. Such betrayals were regarded with severity, because they breached the most sacrosanct secular bond of society. This wavering baronial support is most markedly associated with ducal family conflict, because dynastic rebellion provided the most effective outlet for baronial discontent and pursuit of individual ambition. The intrinsically brittle backing, encouraging diplomatic and concession-based campaigning, favoured the party in possession of the most resources. This was usually the duke, with the exception of the 1087-1106 fraternal struggles. The fickleness of support ultimately served to limit the impact of ducal familial strife: baronial heads could be turned by the lure of reward, leaving the dynastic rebel powerless without backing and so forced to come to terms or to flee.

¹²⁴ Orderic, VI, 164-7; Orderic, VI, 196-9, 332-5.

¹²⁵ Orderic, V, 26-7; for examples, ASC E, 1090; Orderic, IV, 220-1, 236-7; HH, HA, 414-7.

¹²⁶ WM, GRA, 546-7. For further discussion, Garnett, 'Coronation', 95, and Strevett, *Anglo-Norman Aristocracy*, p. 235.

A further restraint on internal ducal conflict and its impact arose from the limitation of claim. The claims of distant kinsmen or more distant ducal relatives, for example Williams Werlenc and Busac in the 1050s, and Henry in the 1090s, were not taken up by domestic troublemakers or foreign enemies. Those posing a long-standing threat, such as Curthose and Clito, were not in continual, active opposition to the duke, perhaps in recognition of the damage inflicted on the duchy by constant domestic warfare. Ducal action could also be an informal check to conflict: because the duke could anticipate the source of the most powerful political threats, he could employ strategies to avoid conflict, or at least to reduce its destructive impact. Kinsmen deemed a danger to political stability could be imprisoned without apparent repercussions, as seen in the cases of those with weaker claims – Odo, Henry – but also of the legitimate duke of Normandy from 1106.

Consideration of these three questions relating to ducal family conflict – its distinctiveness, its entrenchment, and its force – shows that discord within the ruling house was part of the wider political reality in Normandy. Contention within the ducal family was not an isolated phenomenon, but should be seen and understood within the broader contemporary context. This is particularly the case after the realignment of Norman practices, interests and mentalities after 1066, when struggles within the ruling family were apparently accepted as part of the make-up of the changed political situation of the duchy.

Chapter Four

Aristocratic family conflict

The focus now shifts from the ducal house to aristocratic and knightly ranks. Although the evidence is meagre compared to coverage of ducal family conflict, a consideration of disputes within aristocratic and knightly families gives a broader and perhaps more representative picture of kin conflict. Orderic provides the bulk of the detailed evidence, while quantitative charter evidence buttresses the qualitative narrative material. The evidence of the customals is also useful, although caution is required given the later provenance of these sources; nevertheless, a consideration of the later development of hereditary custom may shed light on its earlier forms.

There are two main limitations of the evidence. First, most of the material focuses on the upper aristocracy, who were closely allied to the ducal house in interests and behaviour. The body of evidence for lower aristocratic and knightly families, based on documents and some local history narrated by Orderic, is far smaller, so any conclusions should be drawn with caution. Second, the interest of the sources lies in land possession and inheritance, giving little insight into the personal element of disputes, which must have played some role in conflict, even if one invisible now.

This chapter is in two parts, mirroring the focuses of chapters two and three: the causes and context of conflict, and the place of conflict in the Norman world. The former consideration is far lengthier than the latter because of the greater evidence base. The first section demonstrates the consistent focus of disputes on land and heredity, by looking at methods taken to prevent conflict, the likely circumstances of conflict, and how disputes were played out. To explore why landholding was so often at the centre of discord, I consider contemporary aristocratic inheritance custom and the pressures and changes it faced. I then show that disputes often arose from clashing perspectives within the family, and from other hereditary complications, all facilitated by the fluid framework of inheritance and landholding. Although challengers may have framed disputes in terms of inheritance, they were probably often seeking lesser concessions. The second section ponders more broadly the place of aristocratic dynastic conflict in Normandy. I consider whether such conflict was seen as different because of the familial dimension, and suggest that the element of lordship was more important. I then

consider the related issues of how deeply conflict was embedded in Norman society, and its impact. I show that the ready availability of powerful support from above and below made disputes more likely to erupt and more threatening when they did; however, smaller-scale quarrels independent of wider happenings were probably more typical within families, often leading to longstanding and unpredictable internal family friction.

The emergence of conflict

Aristocratic family conflict revolved around concerns of property, landholding, and inheritance. These interests were at the core of family. One of the central functions – if not the central function – of the dynasty was to retain, acquire and pass on land from generation to generation. It is not surprising that kin solidarity sometimes buckled under the pressure of such a process, in which individual interests, familial concerns and seigneurial demands competed for supremacy. As Holt has argued for England, ‘descent of the family property was likely to be the immediate concern of the lord, his children and their spouses, and his siblings and their spouses ... right at the heart of the family, in its control over the descent of the patrimony ... relations were potentially explosive.’¹ Here, I show how recorded conflict focused on land, considering the use of strategies to prevent disputes, the likely circumstances of disputes, and the conduct of disputes.

There are hints that measures were often taken to avoid strife within aristocratic families. This indicates that there was anxiety over potential disputes, that conflict was recognised as a relatively ordinary occurrence, and that land was the focus for quarrels.

Documents setting out landholding and inheritance arrangements within families, which have occasionally survived, suggest a desire to pre-empt conflict. In 1107, Robert de Meulan obtained a royal confirmation of the inheritance division between his sons. His twin sons were to succeed to his Norman and English lands respectively, unless one should die or prove unfit for rule, in which case the whole inheritance would go to the other. Robert also took into account the possible political situation of the Anglo-Norman realm after his death: if the lands on either side of the Channel were lost, the

¹ Holt, ‘Patronage and politics’, 15.

brothers were to share the remainder.² It is unclear whether Robert's testament was typical. The provision was not apparently motivated by any particular life-event. There is no evidence that Robert was unwell, and, although not a young man (he was at least well into his fifties), he was still active, having commanded at Tinchebray the previous year, and indeed lived a further eleven years. Perhaps he feared that his sons being twins might complicate the process of succession, and decided to take advantage of his close relationship with Henry to secure a royally-endorsed testament.³ Equally, his aims may have been more general: as one of the richest Anglo-Norman barons of the period (and the new earl of Leicester), Robert may simply have wished to safeguard his extensive lands in both England and Normandy and guarantee their future descent to his offspring. Significantly, the provision was made only a year after the reunification of England and Normandy, and the importance of Tinchebray is flagged up in the document: it opens with a reference to the battle (*in secundo anno quod ego Normanniam prelio mihi subjugavi*). The clause concerning the devolution of the Beaumont inheritance should either the English or Norman lands be lost implies that Robert's precautionary act was borne of the contemporary political instability. It was not clear in 1107 if the battle would prove to be decisive or not – only later was the finality of Tinchebray evident.⁴ Although Duke Robert was under lock and key, successful escapes were not unknown; Clito was still at large, with his strong claim and compelling appeal; and it was not yet clear how effective Henry's rule would prove in binding together England and Normandy, after a separation of nearly two decades. A reasonable apprehension concerning the future could have underlain Robert's testament; the lack of any obvious reason for the document's creation suggests that such a move was not unusual. There was inherent potential for conflict: the division was not a straight split between England and Normandy, as the Norman heir also received some English estates, and each twin's inheritance was specified precisely. The document proved effective; on Robert's death in 1118, the twins were granted their respective lands, in trust until they reached majority, but Robert's youngest son (born after 1107 and so not provided for by the testament) received nothing.⁵

² *RRAN II*, 843, printed in appendix, 51. The exact meaning of 'unfit to rule', *ydoneus ad terram regendam* (*possidendam* on its second rendering), is not clear: see Green, 'Gouvernement', pp. 62-3, on the idea, and Crouch, *Twins*, pp. 8-9, on the settlement.

³ Holt, 'Politics and property', 11, 20, on inheriting twins.

⁴ WM, *GRA*, 722-5.

⁵ Crouch, *Twins*, pp. 8-10.

The use of written testaments to set out future inheritance arrangements and thus limit the potential for internal conflict was not unheard of, but probably unusual. Similar concerns, here arising from marriage, are seen in another document. Simon, count of Evreux, had a marriage contract drawn up when his sister Agnes married Waleran de Meulan.⁶ It was copied into the thirteenth-century cartulary of Préaux abbey, after the original was deposited at the abbey for safekeeping, probably by Waleran. The document sets out exactly what properties, revenues and services Agnes was to bring to her new husband, and what Simon was to retain. These sorts of marriage contracts, which aimed to prevent disputes over the bridal dowry and perhaps limit opportunistic husbands exploiting the claim of their wives to siphon off family lands and wealth, were probably quite common, but only survive in exceptional cases. Simon was right to be cautious: Waleran soon managed to use his wife's claim to extract the honour of Gournay from the Evreux lordship.⁷

Hereditary and tenurial arrangements within families probably more typically depended on the power of public oral affirmation, rather than written record, to bind heirs to agreements and coerce compliance. One act describes how a layman put aside lands for a younger son and two daughters. This episode also illustrates the role of fortune in the survival of written records of such events: the document was almost certainly only created because the land in question, subsequently granted to Préaux abbey, was later the subject of a lay claim.⁸ It tells us that,

Osulf, *prévôt* of Toutainville, bequeathed and granted his land at Poncel along with a field of meadow to Ralph, his son, and Alberada and Eremburg, his daughters, in the presence of his neighbours. At the time of his death, by the judgement of Geoffrey of Saint-Médard, Hugh, Osbern of Triqueville, and other knights, and in the presence of William Tafut, in the *curia* of Saint Peter, and by the testimony of neighbours, half of the land and the meadow were given to the aforementioned daughters, just as the father had ordered.⁹

⁶ Préaux, B2.

⁷ Crouch, *Twins*, pp. 52, 64-5. A grant of land to Mortemer abbey also probably contains the vestiges of a marriage contract: it is recorded that Robert de Ponte had given his sister in marriage to Gilbert, son of Odelinus, along with two portions of land (which were now being granted by Gilbert and his wife to the abbey). ADE, H 592, f. 1v (*Robertus de ponte*).

⁸ Préaux, A27; later claims recorded at A84. This case is discussed more fully in chapter five.

⁹ *Osulfus, prepositus Tustiniville, divisa et dimissa coram vicinis suis terra sua de Poncel com [sic] uno agro prati Radulfo, filio suo, et filiabus suis, Alberade et Eremburgi, insimul eoque mortuo, iudicio Goisfredi de Sancto Medardo et Hugonis atque Osberni Trigiville et aliorum militum, coram Willelmo*

This case may be unusual because Osulf was a *prévôt*, and the reason the transfer of the inheritance took place in the abbatial *curia* may have been that the daughters subsequently sold their half of the land and meadow to Préaux. Nevertheless, Osulf's public testimony of his provision for Ralph, Alberada and Eremburg clearly aimed to ensure that his wishes were followed after his death. It probably also reflects a desire to avoid conflict both between these three siblings and between the three and any elder siblings: the three probably received only a small part of the patrimony, quite arbitrarily divided into half for the son and the other half for the two daughters jointly.¹⁰ There is nothing in the tone of the act to suggest anything exceptional. This type of testimony was probably a widespread practice amongst the aristocratic and knightly classes, relying on friends and neighbours to oversee the descent of family lands according to pre-mortem provisions, ensuring a smooth transition and minimising the scope for internal conflict.

Pre-emptive measures, establishing clearly the hereditary and tenorial arrangements (either in written form or in individual and collective memory), reduced the opportunity for dispute and provided a form of proof in case it should occur. The need for such measures suggests that dispute over family land was a common concern. In what circumstances was a conflict likely to arise?

Difficulties over the operation of inheritance when there were no children, no sons, or no legitimate children, gave rise to dispute. One alternative option was collateral succession, but there are indications that this posed challenges too. Warin de la Mare had to prove his right to his uncle's inheritance in the court of Roger de Montgomery, and the document recording Warin's subsequent grant to Saint-Martin de Sées firmly stressed his hereditary and rightful tenure of the land.¹¹ A certain Stephen only succeeded to the inheritance of his uncle by the gift (*dono*) of Duke William, despite his

Tafuto, in curia Sancti Petri, et testimonio vicinorum, medietas terre et prati filiabus jamdictis data est, ut pater jusserat.

¹⁰ Another brother, Godard, appears in both acts: at Préaux, A27, he warrants his sisters' sale of the land to the abbey, and later secures Ralph's consent; at Préaux, A84, Godard was present for Ralph's quitclaim of the land. Godard was almost certainly the elder son. The editor of the Préaux cartulary, however, suggests that there was another brother, Geoffrey, and that he succeeded Osulf, on the basis of another Préaux act (A86) concerning a Geoffrey, son of Osulf du Haut-Etuit (and there is an Haut-Etuit very close to Toutainville).

¹¹ BES, Livre Blanc de Saint-Martin de Sées, fos 61v-62r; discussed at Tabuteau, *Transfers*, pp. 98-9.

hereditary right (*iure hereditario*) to the land.¹² The contest over the lordship of Breteuil involved difficult issues of legitimacy and illegitimacy, and lineal versus collateral relatives. William de Breteuil died in 1103 without legitimate offspring, precipitating a contest between three claimants for this important honour: William's natural son Eustace, his nephew William de Gael, and Ralph de Grancey, a kinsman of unknown relation. William de Gael soon died, leaving Eustace and Reginald locked in a struggle. King Henry's backing for Eustace, confirmed by Eustace's marriage to Juliana, one of Henry's illegitimate daughters, finally proved decisive, as Eustace won out and was able to vanquish Reginald and secure Breteuil.¹³

Another case of disputed inheritance in the absence of legitimate direct male heirs did not give rise to immediate conflict, as far as we can tell, but did result in recurrent strife several decades later. The Bellême inheritance in the early 1050s was divided between two women, the first cousins Adeliza and Mabel. These two were apparently the only members of the house considered for the descent of the patrimony. There was a male claimant, Oliver, who may have been illegitimate, though this was not necessarily a barrier, as Eustace's later success shows. Probably more important in Oliver being overlooked was the ducal will. Mabel had married Roger de Montgomery, one of Duke William's principal allies, around 1050, thereby bringing into the ducal sphere of influence the Bellême lands, covering swathes of the volatile southern Norman marches. Duke William's increasingly authoritative hand was probably present in some measure in this tricky inheritance division.¹⁴ Mabel received the family's western possessions, and Adeliza the eastern properties. However, the important castle town of Domfront, on the Manceaux border, proved an anomaly. Domfront was situated in Mabel's portion but had been the stronghold of Adeliza's father, Warin de Domfront. The town went to

¹² *RRAN: William I*, 162.

¹³ Orderic, VI, 40-1, 44-5; *GND* (RT), II, 230-1. See also M. S. Hagger, 'Secular law and custom in ducal Normandy, c. 1000-1144', *Speculum* 85 (2010), 827-67, at 852-3, on these cases.

¹⁴ On the succession, K. Thompson, *Power and Border Lordship in Medieval France. The County of the Perche, 1000-1226* (Woodbridge, 2002), pp. 37-8; Thompson, 'Family and influence'; Bates, *Normandy*, p. 81; Chibnall, *World*, p. 22; Chibnall, Orderic, II, 364-5; E. Searle, 'Women and the legitimization of succession at the Norman conquest', *ANS* 3 (1981), 159-70, at 160. Oliver is a shadowy figure: for discussion, see N. Percivall, *Ideals, Masculinity and Inheritance: a Study of Father / Son Relationships Presented in the Narrative Sources of Iceland and Normandy in the Eleventh and Twelfth Centuries* (unpublished PhD thesis, University of Liverpool, 2005), pp. 212-3.

Mabel and her husband Roger; Duke William thereby ensured that the town, only recently recovered from the count of Anjou, was placed in safe hands.¹⁵

There are two situations which probably quite commonly gave rise to disputes, but for which there is little evidence: children too young to inherit, necessitating minority arrangements, and the provision of dower for widowed women. The practice of wardship in eleventh- and early-twelfth century Normandy was fluid, with no single established convention. There are examples of seigneurial and of family wardship, even within one kin-group: for instance, the lands of two successive minors within the Taisson dynasty were held by the duke and by the child's mother respectively.¹⁶ Another mother effectively had to buy the right to hold her son in wardship.¹⁷ As Tabuteau notes, the operation of wardship and other feudal incidents presupposes a smooth and fixed system of inheritance, which I suggest later was not necessarily the case in Normandy at this time.¹⁸ The range of possibilities within minority arrangements must have brought about struggles. The *Très Ancien Coutumier* certainly regarded wardship as a dangerous situation and favoured seigneurial wardship (also acknowledging the link between land and family conflict):

A fatherless heir must be in ward to someone. Who shall be his guardian? His mother? No. Why not? She will take another husband and have sons by him and they, greedy for the heritage, will slay their first-born brother, or the step-father will slay his step-son. Who then shall be the guardian? The child's blood kinsmen? No. Why not? Lest, thirsting for his heritage, they destroy him. For the prevention of such faithless cruelty, it is established that the boy be in ward to one who was bound to his father by the tie of homage. And who is such a one? The lord of the land, who can never inherit that land in demesne: for heirs of a noble race always have many heirs.¹⁹

The Beaumont twins provide the probably best known case of aristocratic minority. There was no dispute on the death of Robert de Meulan in June 1118, as King Henry claimed wardship (although others were in more immediate charge, including the

¹⁵ On William's 1051-52 campaign against Geoffrey Martel, Bates, *Normandy*, appendix A, pp. 255-7.

¹⁶ Tabuteau, *Transfers*, pp. 61-2; Bates, *Normandy*, p. 127; and Power, *Frontier*, pp. 181-2, for the later period.

¹⁷ Saint-Wandrille, 46. See Tabuteau, *Transfers*, p. 59.

¹⁸ Tabuteau, *Transfers*, p. 64.

¹⁹ *Très Ancien Coutumier*, 1, 11; translation from F. Pollock and F. W. Maitland, *The History of English Law before the Time of Edward I* (2 vols; 2nd ed.; Cambridge, 1898), 1, p. 326; see also Holt, 'Patronage and politics', 17. The *Leges Henrici*, 70.19, offers a pronouncement with a similar sense: 'No one shall be entrusted to the care of a person who is claiming his inheritance, whether it is a relative of his or a stranger (a dangerous guardianship indeed).'

brothers' stepfather, a close ally of the king).²⁰ Yet the honour of Beaumont, amongst Waleran's prospective lands, still came under threat. In 1118, Robert du Neubourg, cousin of the twins Waleran and Robert, laid claim to part of Waleran's lands in the Beaumont honour, which bordered his own lands at Le Neubourg. Robert's father had recently retired to Préaux, and had probably just made arrangements for the inheritance; Robert did not yet hold the lands in full, but was certainly administering them. However, the more immediate trigger for Robert's claims was the death of Waleran's father; the removal of Robert de Meulan's dominating influence clearly gave Neubourg hope that he could exploit the uncertain situation of the minority to increase his own demesne. His claims were subsequently defeated (for the time being), although after some damage to the land. Even with such a powerful guardian as the king, and with the minors hardly helpless infants, it is striking that the situation of wardship still encouraged family squabbles.²¹

Second, there is the common but under-reported issue of dispute over dower, i.e. the portion of a husband's wealth which devolved to his widow on his death. Firm evidence of women's dower rights does not come until the thirteenth-century *Très Ancien Coutumier*, by which time women were entitled to a third, and perhaps up to a half, of a husband's estate.²² For the earlier period, we are dependent upon charters, but dower was certainly a powerful interest. Tabuteau has only found evidence of 'devised' dower in eleventh-century Normandy, particular properties set aside for the widow's use, in contrast to the later norm of 'customary' dower, which entitled a widow to a certain proportion of her husband's lands.²³ Dower-land was often not set apart, but absorbed into the larger family patrimony and could be alienated to churches, potentially leaving women in a tricky situation after the death of their husband.²⁴ However, where we can

²⁰ Crouch, *Twins*, pp. 4-6 for the specific arrangements.

²¹ Orderic, VI, 188-9, 200-1, 278-9; *ibid.*, pp. 3-13 (6-7 on Robert du Neubourg). The twins were 13 or 14 in 1118.

²² K. A. Fenton, 'Women, property and power: some examples from eleventh-century Rouen cartularies', in L. Hicks and E. Brenner, eds, *Society and Culture in Medieval Rouen, 911-1300* (Turnhout, forthcoming, 2013), pp. 5-6 (all page numbers provisional); Power, *Frontier*, pp. 242-6, at 242. My thanks to Kirsten for providing me with a copy of her article. For a detailed discussion of dower in Normandy, P. Bauduin, 'Du bon usage de la *dos* dans la Normandie ducale (X^e – début du XII^e siècle)', in F. Bougard, L. Feller, and R. Le Jan, eds, *Dots et douaires dans le haut moyen âge* (Rome, 2002), pp. 429-55.

²³ Tabuteau, *Transfers*, pp. 176-7.

²⁴ Jumièges, 37, and Orderic, III, 186-9, for two monastic land-grants including dower-land. An anticipation of a widow's reclaim of a land-grant prompted the monks of Mortemer to make alternative

trace dower-land, the risk of its loss from the central family holdings is clear, thus creating the potential for dispute. Dower-land could follow a different line of descent; for instance, one record describes how a woman had received dower-land from her mother, and now gave it to her own daughter, thus detaching the land from the patrilineal dynasty.²⁵ If a widow re-married, probably a regular occurrence due to the relatively high mortality rate among young men, the properties allocated to her from her husband's wealth might be lost from the family patrimony for ever. Bauduin suggests that the interests of the husband's family, which were focusing in on dower property over the period, could be influential; 'devised' dower may have been preferred because it limited the dismemberment of the patrimony.²⁶ This is the broad context of a dower dispute resolved in the court of Robert de Bellême, the record of which was preserved in the cartulary of Saint-Martin de Séés, to which one party was a benefactor. On the death of William de *Coimis*, his brother Drogo had retained the lands allocated for the support of William's widow, Adela. The suit concerned the claim of Adela and her new husband Picot de Sai to the dower-lands. The document favoured the couple's claims, adjudging to be 'just' their wish to hold the land during Adela's lifetime. However, a compromise was reached in accordance with the will of Robert de Bellême, and the lands were divided equally between the two parties.²⁷ Nothing in this case suggests it was unusual, so the fate of dower was probably a common cause of disputes, both within and between families. Unfortunately, the rarity of ecclesiastical involvement in cases of disputed dower and disputed wardship means a lack of recorded cases.

Personal animosity and emotional factors are likely to have contributed to internal aristocratic conflict; although direct testimony is lacking, analogy with the greater evidence for the ducal family suggests that this added a significant dimension.²⁸ Other evidence confirms the role of personal antagonism: in the *Song of Roland*, Ganelon is motivated by envy and resentment of Roland; Wace describes how a mother, driven by grief and hatred, killed her son in retaliation for his own killing of his brother; and a late

arrangements with the donor: ADE, H 592, f. 1r (*Willelmus le per*); Préaux, B90, for a widow's successful challenge of a land-grant made by her husband of part of her dower-land, and discussed at Tabuteau, *Transfers*, pp. 176-7. See also Bauduin, 'La dos', pp. 446-8.

²⁵ BES, Livre Blanc de Saint-Martin de Séés, f. 103r.

²⁶ Bauduin, 'La dos', pp. 446-7, 448-9.

²⁷ *Picot desponsaverat [Adelam] et dotem quam ei primus maritus dederat ut iustum erat ea vivente volebat habere...*: BES, Livre Blanc de Saint-Martin de Séés, fos 34r-35r; Tabuteau, *Transfers*, pp. 138-9, for discussion.

²⁸ See chapter three, pp. 111-6.

twelfth-century scientific treatise discussed why sons loved their parents less than they were loved by them.²⁹ Orderic also attests the role of rancour in aristocratic family clashes. Around 1048, Arnulf de Bellême drove his father, William Talvas, out of his lands and claimed them for himself; he was reputedly motivated partly by shame over the cowardice of his father, which had become the subject of local ridicule.³⁰ Hugh d'Avranches persuaded the king to punish William d'Eu, his brother-in-law and a rebel of 1095, with blinding and castration, as retribution for William's mistreatment of Hugh's sister, when other rebels were spared.³¹ And in a revealing episode, Orderic claims that the long and destructive struggle between the half-brothers William d'Evreux and Ralph de Tosny was sparked by rivalry between their respective wives, as one grew angry at 'slighting remarks' made by the other: 'so the hearts of brave men were moved to anger through the suspicions and quarrels of women.' However, hostilities were ended when William appointed Ralph's son Roger as his heir, suggesting that landed interests were, in fact, important in the quarrel, the descent of the Evreux lands being uncertain at this time.³² Ill-will between family members might aggravate and even activate any discord, but in this instance at least, discord soon turned into a broader struggle over the descent of family lands.

Patterns of aristocratic family conflict bear out the recurrence of discord, and its focus on tenure and descent of family land. This is demonstrated, first, by the timing of conflict and the parties involved. The majority of aristocratic kin disputes were focused on the close family. Most saw clashes between members of the same generation, usually siblings and cousins; struggles between fathers and sons are less common, with only a few parent-child disputes recorded. The limited evidence counsels caution here, but the comparative lack of filial opposition indicates one key difference between aristocratic houses and the ducal house: office. Aristocratic families did not hold office, and while there were comital dynasties in Normandy (for instance of Eu, Breteuil, and Brionne), by the second half of the eleventh century they did not exercise comital rights like

²⁹ *Roland*, lines 3757-60; Wace, *RB*, pp. 54-7; *The Prose Salernitan Questions edited from a Bodleian Manuscript (Auct. F.3.10)*, ed. B. Lawn (London, 1969), 101.

³⁰ *GND*, II, 110-3.

³¹ Orderic, IV, 284-5.

³² Orderic, IV, 212-7. The boy, who had also been nominated heir to the Breteuil inheritance, in fact predeceased his father. For Norman Italy, Drell, *Kinship and Conquest*, pp. 162-70, has also noted the scarce evidence for personal and affective factors, and similarly suggested that the image of personal kinship we do have 'bears the unmistakeable imprint of the larger concerns of society: property and power' (p. 170).

counts outside Normandy, such as the count of Anjou.³³ There was no gradual handover of property and power from father to son to provoke friction, and there was apparently little consideration that sons should take on family lands before their father's death, unless granted as a pre-mortem gift.

This postponement of the necessary but fractious internal family re-configuration meant that disputes were most likely to erupt on the death of a landholder and the succession of his heir(s). Discord was also therefore most likely to involve members of the same generation, the sons and nephews of the former *paterfamilias* being those with the strongest claims to inherit. Regardless of whether firm arrangements for the inheritance had been made already, this was a precarious moment in the dynastic life-cycle. If the heir(s) of the dead landholder had not been decided, then this could cause dispute; there might be brothers, cousins and other kinsmen with claims to a share in the land to be met; and a widow to whom dower-lands should be assigned. Furthermore, the passing of power from one generation to the next undoubtedly involved shifting social dynamics, and re-shaped hierarchies as well as lands, particularly if members of the older generation (such as a widow, or an uncle) were still alive. Although the evidence indicates that these senior figures were often still influential behind the scenes, the greatest tensions were between kinsmen of the same generation.³⁴

This suggests not only the importance of the succession period to discord, but also the significant role of the custom of division in promoting conflict between family members. The classic example is the Breteuil dispute, which (as mentioned above) broke out when the count of Breteuil died without legitimate children, and was ended only when one claimant secured the county. We only know of examples outside the upper aristocracy when there was monastic interest in the land in question; otherwise such struggles went unrecorded. The existing evidence nevertheless indicates the prevalence of succession disputes. When Thomas died abroad, apparently unexpectedly and without issue, his brother William claimed land which he and Thomas had earlier

³³ Duke Richard II had created the *comtés* in the early eleventh century, as ducal kinsmen were elevated to comital status and given responsibility for a strategically significant region, but under Duke William II the *comtés* had decreased in importance and the *vicomté* became the main administrative office: see Bates, *Normandy*, pp. 57, 99, 156-8; and M. S. Hagger, 'The Norman *vicomte*, c. 1035-1135: what did he do?', *ANS* 29 (2007), 65-83.

³⁴ For examples of familial mediation, see Orderic, VI, 196-9; Mont-Saint-Michel, 88; Préaux, A113.

donated to Préaux, probably in an attempt to affirm his position as Thomas' heir.³⁵ A more detailed example is found in the cartulary of Jumièges. After Gilbert died, almost certainly young and unmarried, his two brothers seized land given by Gilbert on his deathbed to the monks. Although this land had been granted to the abbey two generations before, it had in fact been retained by the family for the majority of that period, and was probably regarded as part of the patrimony. By taking the land (and probably other land as well, unrecorded as there was no monastic interest), the brothers were therefore staking a claim to succeed Gilbert, either together or in opposition to one another.

Disputes which do not coincide with a succession often relate to earlier re-arrangements of family property, or to a particularly difficult inheritance settlement. The succession of the cousins Mabel and Adeliza to the Bellême family holdings, mentioned above, was the basis for two later episodes of violent discord between their respective descendants, Robert de Bellême (Mabel's son) and Geoffrey de Mortagne (Adeliza's son) in the late 1080s, and then Geoffrey's son Rotrou in the early 1100s. The conflict focused on Domfront, which had been an irregularity in the succession; Orderic tells us that the claim of the two Mortagne lords was based on Warin de Domfront, Geoffrey's grandfather, but whose property had descended through Mabel to Robert.³⁶ A further instance was rooted in the inheritance arrangements made by Osulf for his younger son Ralph and his daughters. After Osulf's death, Ralph made a claim against his sisters' land-grant to Préaux abbey. His act was rooted in his father's settlement: by questioning the validity of the transaction, Ralph was questioning his sisters' right to the land in the first place. The monks must have recognised this, because an account of Osulf's inheritance provision is included (unusually) by the scribe in the document recording the women's grant, probably written around the time that Ralph started causing trouble.

Another disagreement based on an earlier succession was also waged through the medium of ecclesiastical patronage. On his father's death, Ivo had usurped land that his father had given to Préaux for the entrance of another son, William; eventually William, now a monk of Préaux, prevailed on Ivo to restore the land.³⁷ Despite his father's

³⁵ Préaux, A113.

³⁶ Orderic, IV, 160-3; VI, 396-9. See Thompson, *Perche*, pp. 49, 55.

³⁷ Préaux, A95.

alienation of the land, Ivo probably considered it rightly part of the family heredity and claimed it as such on his succession.

The majority of aristocratic family disputes were therefore focused on the narrow family, because it was kin near to each other, and to the landholder whose inheritance was at stake, who had the strongest and therefore most powerfully conflicting claims to family lands. Distant kinsmen were not marginalised, but unsuccessful claims were unlikely to be recorded, some of which would have been made by claimants further from the inheriting core of the family; as Holt has shown, wider kinship was ‘reinforced by the possibility of distant succession and where that was denied, by the preservation and nurturing of distant claims.’³⁸ Distant kinsmen were far more likely to have success in the absence of direct heirs, when a weaker claim acquired greater potency, as the Breteuil dispute shows. Sometimes, the temporal lag between the disputed succession and the clash of arms, as in the Bellême-Mortagne discord, led to conflict flaring between more distantly related claimants. It was the reach of hereditary claim attached to kinship that underlay a dispute, rather than the simple fact of kinship alone.

The expression and resolution of aristocratic family discord could take three main forms. The first, for which there is most evidence, is a physical focus on the disputed land. A claim might be signalled by seizure of the land, or warfare might be waged on the land; similarly, resolution was marked by a sharing out or return of the land. The two brothers of Gilbert demonstrated their intent to claim his inheritance by physically seizing (*retraxerunt*) the land at Gauville which he had donated to Jumièges.³⁹ The Breteuil conflict was marked by an immediate physical focus on the disputed land. Eustace took direct action on his father’s death: during his funeral, Eustace ‘occupied and fortified all [William’s] strongholds and thus by usurpation held all his father’s possessions.’⁴⁰ One faction ‘devastated their own region as if they had been [its] enemies’, and Eustace was victorious only when he was physically settled in the county, his opponents dead or exiled.⁴¹ In the late 1040s, Guy of Burgundy seized (*iniuste sibi auferens*) the castle of Le Homme from his mother Adeliza in support of his rebellion,

³⁸ Holt, ‘Patronage and politics’, 15.

³⁹ Jumièges, 53. Further instances probably lurk behind the closed language of the documents, since the charter vocabulary of claim and quitclaim can disguise outright seizure of land or rights.

⁴⁰ *GND* (RT), II, 130-1.

⁴¹ Orderic, VI, 40-1, 44-5.

Adeliza only regaining the castle some years later, after Guy's exile.⁴² In 1102 or 1103, Arnulf de Montgomery broke from his brother Robert de Bellême by seizing (*capiens*) Robert's castle of Almèneches and handing it over (*tradidit*) to an enemy of his brother, thereby signalling his desertion.⁴³ The most extreme demonstration of dynastic discord via a physical seizure of the patrimony comes from Arnulf de Bellême's expulsion of his father and arrogation of the family lands. It is clear from Orderic's choice of vocabulary, both in the *Gesta* and in his own history, that Arnulf physically forced his father from his lands, rendering him homeless: Talvas was driven (*expulsus est*) from his honour, as Arnulf threw (*eiecit*) him out of his fortifications, and took (*invasit*) his property, forcing him into the life of a landless wanderer, moving from household to household as an exile (*exulare, pervagatus est*).⁴⁴

The court is the second location in which we see internal aristocratic conflict played out. Eleventh-century Normandy is not well-endowed with records of court action. Tabuteau found 'about sixty' references, in both charter and narrative sources, of which only around twenty-five offer any detail, but she was able to conclude that most cases ended in compromise, quitclaim or default.⁴⁵ In addition to this paucity of evidence is the problem of dependence on ecclesiastical interest in a case for a record, for example when the religious house was a litigant in a secular court, or when a dispute was heard and settled in the monastic *curia*. For instance, we only learn that Gilbert's plundering brothers were brought to heel by the local lord at Gauville because the subsequent monastic victory required a record of the event. Although family members might be present and might challenge their kinsman's claims, this and similar disputes primarily pitted laymen against a religious house, rather than family member against family member; ecclesiastical houses had no interest in documenting purely secular wrangles.⁴⁶ There are rare instances, but the records have survived only in unusual or fortunate

⁴² BNF, ms. lat. 5650, fos 17v-19r; printed at *Abbayes Caennaises*, 21, and *RRAN: William I*, 58. See Hagger, 'Cotentin', 38, and E. M. C. van Houts, 'Les femmes dans l'histoire du duché de Normandie', *Tabularia: Etudes* 2 (2002), 19-33, at 21-3; accessed 05/09/12: <http://www.unicaen.fr/mrsh/craham/revue/tabularia/dossier2/textes/03vanhouts.pdf>

⁴³ Orderic, VI, 32-5.

⁴⁴ *GND*, II, 112-3, 118-9; Orderic, II, 14-5. On this, see Chibnall, Orderic, II, 364-5, and Thompson, 'Family and influence', 219-21. So dramatic was the event that it was still being remembered three centuries later: BNF, ms. lat. 10086, fos 29v-30r: see chapter one, n. 73.

⁴⁵ Tabuteau, *Transfers*, pp. 201-2, 228. Mark Hagger's forthcoming monograph on Norman government and institutions, 911-1144, will provide further discussion and for a broader period: I am grateful to Mark for sharing his as yet unpublished material and thoughts on Norman pleas.

⁴⁶ This type of dispute is discussed in chapter five.

circumstances. A dispute between the abbey of La Trinité du Mont (Rouen) and Gilbert, bishop of Evreux, heard in Duke William II's court, essentially opposed Gilbert and his brother William, as William countered Gilbert's claim, being prepared to swear on the validity of the grant Gilbert was challenging.⁴⁷ Two clearer cases are Warin de la Mare's court vindication of his right to his uncle's inheritance, and the dower dispute between Drogo de *Coimis* and Adela and Picot.⁴⁸

Although the creation, and certainly the preservation, of these reports is extraordinary, the intrafamilial court activity they confirm was probably not. At this time, the Norman dukes were bringing more cases to the ducal court to limit private warfare, and, for the upper aristocracy at least, the duke was accessible as the ultimate source of redress.⁴⁹ The lord might get involved when disputes overflowed into violence and disrupted local society: for example, Gilbert's brothers were 'forced to justice' by the local lord, who then judged the dispute.⁵⁰ The seigneurial court could also serve as the arena for family clashes if one party appealed to the lord for outside aid and settlement, as with the claim of Picot and Adela to the denied dower. Compromise was probably the norm in familial cases; there was no doubt an awareness of the potential longevity of such niggling feuds. There is a clear sense in the dower dispute that the presiding lord, Robert de Bellême, wished to bring the quarrel to a speedy conclusion and check its escalation. Robert gave no definitive judgement (despite the opinion of the document's scribe that Picot and Adela were clearly in the right), but each party received a portion of the land and mutual obligations were established. Regardless of whether this outcome was fair in objective terms, it was a socially workable resolution, relying on each party's receipt of some remuneration and the will of the mediating lord (not a man to defy) to ensure its effectiveness.⁵¹

⁴⁷ La Trinité du Mont, 82 (also *RRAN: William I*, 235). The original grant had been made by Gozelin of Arques, and it is not clear whether he was the grandfather or great-grandfather of Gilbert and William, but the former is probably more likely: see the editor's comments at the document, and Tabuteau, *Transfers*, p. 200.

⁴⁸ On Warin, n. 11; on the dower dispute, n. 27.

⁴⁹ Hagger, 'Secular law'.

⁵⁰ *...compulit ad iusticiam...*: Jumièges, 53.

⁵¹ Though termed in the language of settlement, the force of Robert's will emerges from the document: *Robertus de Belismo volens pacem facere inter barones suos Picot atque Droconem precatus est* [division set out] ... *Victi Picot et uxor eius tum domini sui Roberti cum amicorum suorum precibus concesserant*. BES, Livre Blanc de Saint-Martin de Sées, f. 34v.

The third, and probably commonest, way in which internal aristocratic conflict was expressed and settled was within the family, but by its very nature it leaves little evidence. Only conflict which led to violence and disorder or required outside involvement, whether an imposed settlement or military backing, would become sufficiently prominent to achieve narrative testimony. There are certainly hints that internal discussion and resolution of family disputes did occur; tensions and arguments must have been regularly played out behind closed doors.⁵² Despite the certain under-reporting of familial litigation, internal family quarrels were most likely to remain within the family group, especially given that inheritance arrangements, a major cause of ructions, could be made according to individual family custom, particularly in the earlier period.⁵³ Only a prolonged and serious dispute would require in-court settlement; many quarrels simply would not have gone so far, but would be resolved by informal negotiation, familial and local pressure, and compromise.⁵⁴ The struggle between William d'Evreux and Ralph de Tosny was apparently brought to an end internally, as the Evreux faction paid a not insignificant sum for peace, and pledged the descent of the county to the Tosny party.⁵⁵ The long-running discord between Waleran de Meulan and Robert du Neubourg, which had flared up periodically ever since Robert's succession to his honour in 1118, was brought to an end c. 1141-42 by an agreement between the two, which survives in written form. We are ignorant of the exact nature of Robert's initial claims, so cannot judge whether the settlement was balanced. In an attempt to resolve the quarrel finally, necessary now as both had joined the Angevin faction in the ongoing struggle for Normandy, Waleran provided Robert with a generous pay-off.⁵⁶ The creation of this document was probably unusual, explicable by the upper aristocratic status of the protagonists, the longevity of the dispute, and its potential to be rekindled in the volatile political situation. The document's preservation was even more unusual, as Waleran deposited it at Préaux for safekeeping. Although it probably involved greater lands and rights and therefore more detail than normal, there is no sense that the

⁵² *RRAN: William I*, 284; Préaux, B1.

⁵³ Tabuteau, *Transfers*, p. 226; Bates, *Normandy*, p. 119. See I. Schapera, 'The sin of Cain', *Journal of the Royal Anthropological Institute of Great Britain and Ireland* 85 (1955), 33-43, at 39-41, for an anthropological consideration of the normality of internal settlement for internal disputes.

⁵⁴ J. C. Holt, 'The *casus regis* reconsidered', *HSJ* 10 (2002), 163-82, at 178-9, makes the same point.

⁵⁵ Orderic, IV, 216-7. Orderic here calls Ralph the uncle of William, but they were probably half-brothers, sons of Godehild by Richard d'Evreux and Roger II de Tosny respectively.

⁵⁶ Préaux, B3. See Crouch, *Twins*, p. 53; Crouch, 'Norman *conventio*.'

agreement itself was out of the ordinary, and it is probably a rare, if extreme, example, of the common practice of internal family disputing and settlement.

The first episode in this lengthy conflict between Waleran and Robert in fact demonstrates the typical aspects of the conduct of aristocratic family conflict, and illustrates the focus on family land. As discussed above, Robert first laid claim to a part of the Beaumont honour when its lord, Robert de Meulan, died, and rule passed to his son Waleran, though still a minor until 1120. That the dispute was rooted in the succession of two young lords to their patrimonies shows the importance of the changing of the hereditary guard. When Robert's claims were summarily rejected by King Henry, he expressed his opposition by joining the Clito movement, then at its zenith. However, Robert's actions over the next few months, in raiding the Beaumont estates from his nearby stronghold of Le Neubourg, suggest that his involvement was little more than a façade behind which he continued to pursue his own objectives. And a year later, the death of Robert's father prompted his desertion of the Clito cause and his submission to Henry, renouncing his claims as he did so. Robert had no choice, if he wished to secure his patrimony in full, other than to return to the king's allegiance and end his quarrel with Waleran; this conclusion to hostilities therefore underlines the importance of landed and hereditary concerns to the dispute.⁵⁷

To consider why concerns of land and succession so often underlay the emergence of aristocratic dynastic conflict, we need to focus on contemporary inheritance custom.⁵⁸ The relative strength of inheritance in eleventh-century Normandy has been observed by historians – Holt calls it a 'primordial right' – but there was not an established single rule of inheritance.⁵⁹ There was a clear preference for direct heirs – i.e. heirs of the body, over collateral heirs. In an agreement with Troarn, Adeliza de Bardouville states that land she held from the abbey was heritable only by her own heirs, sons or daughters, while an act from Saint-Wandrille specifies that only the actors' sons and

⁵⁷ Orderic, VI, 200-1, 278-9; Crouch, *Twins*, pp. 6-7.

⁵⁸ On Norman inheritance, see Bates, *Normandy*, pp. 111-28; Chibnall, *World*, pp. 121-5; S. M. Christelow, 'The division of inheritance and the provision of non-inheriting offspring among the Anglo-Norman elite', *MP* 17 (1996), 3-44; Garnett, '"Ducal" succession'; Hagger, 'Secular law', 852-3; Holt, 'Politics and property', 9-13; Holt, 'Notions of patrimony'; L. Musset, 'L'aristocratie normande au XI^e siècle', in P. Contamine, ed., *La noblesse au moyen âge XI^e-XV^e siècles: essais à la mémoire de Robert Boutruche* (Paris, 1976), pp. 71-96; Power, *Frontier*, pp. 183-7; Tabuteau, *Transfers*; J. Yver, *Egalité entre héritiers et exclusion des enfants dotés* (Paris, 1966), pp. 87-110.

⁵⁹ Holt, 'Notions of patrimony', 202; Musset, 'L'aristocratie'; Hagger, 'Secular law', 853.

daughters, not other relatives (*nec cognato, nec nepoti*) could redeem the land.⁶⁰ The same trend is seen generally in monastic patronage: lack of a direct heir may be a reason for a land-grant to a church, while other grants are made on the condition that the transfer should only take place if the actor dies without legitimate offspring – presumably often to the detriment of other heirs.⁶¹

Division of the land was perhaps the closest that Norman aristocratic tenurial and hereditary custom came to a convention. Partition between sons, and sometimes other family members, was a recognised norm, demonstrated in perceptions and practice. This is well-trodden ground in Norman historiography. Charter references to lands held and granted jointly by brothers or other relatives imply this, while Waleran de Meulan and Robert du Neubourg each shared their respective paternal inheritances with a brother.⁶² Division could also extend further into the family: on the death of Robert I de Bellême, in the late 1030s or early 1040s, his estates were probably divided between his uncle and his two brothers.⁶³

However, it can be difficult to discern the respective influence of partible inheritance and of parental pre-mortem grants. Where family lands are shared between sons, it is not always clear if this arose from inheritance on the death of the lord, or from arrangements made by the lord during his own lifetime. There are cases of the latter: around 1040, Robert de Grandmesnil divided his lands between his two sons, and Orderic implies that landed provision was also made for the third son, still a minor: '[Robert] entrusted his youngest son Ernald to [his two elder sons'] care, so that when he came of age they would treat him correctly as their brother.'⁶⁴ Had Robert died without making these plans, the same eventuality might have come to pass, or alternative arrangements might have been made. Often there is simply insufficient evidence to differentiate between inheritance and *inter vivos* grants. Lifetime granting could be a way to circumvent inheritance disputes, particularly if the grants were

⁶⁰ R. N. Sauvage, *L'abbaye de Saint-Martin de Troarn au diocèse de Bayeux des origines au seizième siècle* (Caen, 1911), pp. 304-5; Saint-Wandrille, 117.

⁶¹ Préaux, A1.13; La Trinité du Mont, 57; La Trinité du Mont, 13; ADC, 1 J 14, fos 9r-15r. This idea is later found in *Glanvill*, p. 75.

⁶² For instance, at Préaux, A131, three brothers *dederunt ... Sancto Petro Pratelli singuli partes suas que sibi acciderant ex paterna hereditate*; and Bayeux, 22: *Gotselinus, archidiaconus, et Radulfus de Russeio, cognatus suus, terram quam simul participabant ... dederunt ...*

⁶³ *GND* (OV), II, 56-7; Thompson, 'Family and influence', 217-9.

⁶⁴ *GND* (OV), II, 96-7.

undertaken on the deathbed, as in the Grandmesnil case above. If a lord transferred land to his heirs in life, then this would prevent disputes after his death, because the heirs were already in seisin (or so the logic went). The end-result of *inter vivos* granting and inheritance was the same – the sharing of family land – even if the method by which it had been reached differed. This tendency towards apportionment led to the assumption among some family members that all sons were entitled to a share in the patrimony.

Partible inheritance came to be expressed in the form of parage. According to this practice, land was divided between sons with the younger ones holding their portions from the eldest, who alone performed the service due from the entire fief to the lord of the land. Parage balanced the often conflicting familial and seigneurial demands: the claims of all sons were met as they were given a part in the family lands, while the lord was assuaged by the integrity of the lands and unfragmented service.⁶⁵ An early example is recorded in a charter of Préaux abbey: between 1050 and 1078, but probably before 1066, two brothers agreed to hold land from the monks, with only one of them responsible for rendering the service.⁶⁶ In an arrangement perhaps underlain by parage, two donations to Mortemer abbey were made with the consent of the actor's brother, of whom he held the land.⁶⁷ Examples are not limited to documentary evidence, either: the early twelfth-century *vita* of the Norman saint Herluin, founder of the abbey of Bec around 1030, recounts how Herluin put the land that he had held in joint tenure with his brothers towards his monastic venture.⁶⁸

However, parage developed only slowly over the course of the eleventh century, and was not known uniformly across Normandy, as it was not practised in the Pays de Caux. Partible inheritance was coming under some pressure in the eleventh century. It raised certain practical problems. First, how exactly was a division to be undertaken? How equal were the portions to be, and who was to receive one? There were no definitive

⁶⁵ Milsom, 'Inheritance by women'; Garnett, "'Ducal' succession', p. 85.

⁶⁶ *...ut imbeneficium concederet illis tenere de se, ea tamen ratione ut Gaufrido solus inde redderet servitium...*: Préaux, A40; see Holt, 'Notions of patrimony', 205-6, and Bates, *Normandy*, p. 127.

⁶⁷ ADE, H 592, f. 1v (*Robertus filius helie; Robertus filius helye*).

⁶⁸ Gilbert Crispin, *Vita Herluini*, ed. A. S. Abulafia and G. R. Evans, in *The Works of Gilbert Crispin Abbot of Westminster* (Oxford, 1986), pp. 183-212, at pp. 189-90. According to the editors of the *vita*, the Bec pancarte shows that, contrary to the hagiographer's claim that Herluin's lord took the land from the brothers and gave it to the saint in recognition of his pre-eminence, Herluin in fact paid both brothers for the land. A translation of the relevant chapter is offered in E. M. C. van Houts, ed. and tr., *The Normans in Europe* (Manchester, 2000), p. 73.

answers; even by the time of the *Très Ancien Coutumier*, the arrangements for the division of a fief remained laboured, while the *Grand Coutumier* sagely observed, ‘apportionment can incite malice.’⁶⁹ In the earlier period, much depended on the circumstances: the extent of resources, the number and choice of heirs, seigneurial demands, and the inheritance traditions of the family.⁷⁰ There was potential for inconsistency and arbitrariness, or even ‘brutal favouritism’, as David Bates has it. For instance, the lands of Giroie, who died in 1033, were divided between his four sons, but the younger two received far smaller shares, while the division of Ralph Taisson’s properties between his two sons broke up previously unified lands in a rather indiscriminate manner. Meanwhile, William fitz Osbern received vast estates but his brother Osbern received little.⁷¹

A second practical problem of partible inheritance was the pressure it placed on the patrimony. The dangerous ratio of too many sons to too little land was at the very heart of the Norman origin myth. Dudo recounted the problems brought by the rapid multiplication of the Danes:

When these [children] have grown up, they clamour fiercely against their fathers and their grandfathers, or more frequently against each other, for shares of property; and, as they are over-many, and the land they inhabit is not large enough for them to live in, there is a very old custom by which a multitude of youths is selected by lot and expelled into the realms of other nations, to win kingdoms for themselves by fighting, where they can live in uninterrupted peace.⁷²

As in the ducal family, the long-lived father with limited landed resources and a number of claimants to satisfy could lead to difficulties.⁷³ A vivid example comes from the Hauteville house. Several of the twelve sons of Tancred de Hauteville, a minor lord in the Cotentin, emigrated to southern Italy in the late 1030s and 1040s, and there they achieved prominence; but they had only left Normandy because Tancred’s patrimony was too meagre to support his numerous progeny. Provision for every son (whether via pre-mortem grant or inheritance provision) may have been a paternal ideal, but in reality it could be difficult to achieve. Even one of the richest barons of the day, Roger de

⁶⁹ *Très Ancien Coutumier*, 1, 8; *Grand Coutumier*, 26, pp. 138-9.

⁷⁰ Tabuteau, *Transfers*, p. 226.

⁷¹ Bates, *Normandy*, pp. 118-9.

⁷² Dudo, p. 15; Dudo, *De moribus*, p. 129.

⁷³ Some have even gone so far as to suggest that the Conquest (as has been posited for eleventh-century Norman expansion more widely) was motivated by a need to acquire more land to satisfy the burgeoning aristocracy: Christelow, ‘Division’, following Searle, *Kinship*.

Montgomery, struggled; Roger withheld part of a donation to Troarn because his fourth son, Philip, was holding the land in question (presumably having received it as an *inter vivos* grant from his father) and would continue to do so, the act stated, until Philip won himself an honour.⁷⁴

Seigneurial and ducal preference for intact fiefs also militated against partition; although parage fulfilled this need, impartible inheritance did so more satisfactorily.⁷⁵ Unigeniture, usually (but not always) in the form of primogeniture, was gaining ground in the eleventh century, and there was already a tradition of primogeniture in the Pays de Caux. Dudo did not mention the inheritance customs of the Danes, and suggested that youths were chosen randomly for exile, but William of Jumièges, writing at least four decades later, declared that the father expelled all but one son, ‘who was the heir to his right.’⁷⁶ Tancred de Hauteville provides an early example of impartible inheritance: his modest lands were inherited by just one of his sons, and probably not the eldest, an inheritance strategy which was in all likelihood determined by an imbalance between sons and resources.⁷⁷ Charter evidence suggests, too, that the eldest son was becoming increasingly important; he was named more frequently than other sons, labelled the *primogenitus*, and often received greater counter gifts.⁷⁸

This increased emphasis on the position and rights of the eldest son did not necessarily equate with the supremacy of primogeniture or an unbending assumption that the eldest was the sole heir. One charter suggests the halfway position held by eldest sons: while the eldest son Dionysus is the only son to be named consenting to his father’s act, nearly every time he is mentioned, he appears with the other sons: *Dionysus et alii heredes mei*.⁷⁹ Although *heredes* may carry the meaning of ‘potential claimants’ rather than ‘heirs’ here, it is still significant that they appear with Dionysus, presumably the principal heir. The right of the eldest son was not so great that it nullified that of the other sons; the framework of shared claim still held influence. Impartible inheritance

⁷⁴ Sauvage, *Troarn*, pp. 352-3; Tabuteau, *Transfers*, p. 27. On the ideals of behaviour governing father-son relationships, and in particular the ideal of provision for all sons, see Percivall, *Ideals*, particularly chapter seven.

⁷⁵ Garnett, ‘“Ducal” succession’, pp. 85-6.

⁷⁶ *GND*, I, 16-7.

⁷⁷ Orderic, II, 98-101. See Holt, ‘Politics and property’, 11, n. 47, and E. Z. Tabuteau, ‘The family of Moulins-la-Marche in the eleventh century’, *MP* 13 (1992), 29-65, at 52-3.

⁷⁸ Tabuteau, *Transfers*, p. 178.

⁷⁹ BNF, ms. lat. 10086, f. 132r.

did not gradually replace partible inheritance over the course of the century, as an earlier generation of scholars suggested.⁸⁰ The picture is more complex; the notion and practice of division probably had deeper roots, but both forms of inheritance existed concurrently and developed further over the period, moulded to contemporary circumstance and adapted according to need.⁸¹ Even in the late eleventh century some nobles only succeeded to the entire patrimony through the deaths of brothers, or the disinheritance of other claimants.⁸² Primogeniture was not mechanically followed under Henry I either: Henry's intention in 1118 to divide the Laigle lands between the three sons of Gilbert de Laigle prompted a rebellion by the eldest, Richer, who only secured the entire inheritance by these extreme means.⁸³

The picture was therefore one of fluidity. Primogeniture was certainly expanding, and also exerted pressure on *inter vivos* granting, since even a small grant diluted the patrimony to the detriment of the principal heir. Although fathers, eldest sons, and probably lords increasingly favoured primogeniture, the perception of provision for all sons remained powerful, which in practice often translated into the division of family holdings. Much depended on circumstance; perhaps division represented a more sensible family inheritance policy in areas and periods of instability, whereas impartible inheritance was preferred in calmer times.⁸⁴ The major dynamic of Norman aristocratic inheritance custom was therefore the clash of perceptions based on the two traditions. The competing norms of partibility and impartibility gave all sons the possibility of asserting some claim, though increasingly the elder's was defined by expectation, and the younger's by hope.

The vicissitudes of fortune, additional customs, and changes over the period further complicated inheritance and the contradictory beliefs at its heart. The number of children that survived into adulthood affected the succession to the family lands. If the patrimony had customarily descended by parage, but in a certain generation only a single son survived, his sole succession would disguise the preference for division and give the false impression of a conscious shift to primogeniture. If only daughters

⁸⁰ Bates, *Normandy*, pp. 111-21, drawing on the Duby-Schmid model.

⁸¹ Holt, 'Politics and property', 9-11; Garnett, '"Ducal" succession'.

⁸² Garnett, '"Ducal" succession', p. 86, referring to Gilbert de Laigle and Robert de Bellême respectively.

⁸³ Orderic, VI, 196-9.

⁸⁴ As suggested by Thompson, 'Family and influence', 219.

survived, female succession was necessary. This is an understudied area of Norman history in the eleventh and early twelfth centuries. As in England, female succession and tenure were weaker than their male counterparts.⁸⁵ Women did not hold lands in full, of their own right. Instead, they held lands in temporary possession until a husband, and later a son, could assume them; women were the means by which the patrimony was transmitted. Impartible descent may have been more common in the case of female inheritance, since it relied on only one succession, and required the tricky choice of husband for only one daughter.⁸⁶ Seigneurial involvement was significant, particularly in the choice of a husband, an important decision given that the lands would be under his control. Duke William's backing was a major factor in the Montgomery-Bellême marital alliance of c. 1050; the match brought key lands in the southern Norman marches to Roger, and thereby under ducal control.⁸⁷ Henry I's promise in his coronation charter, fifty years later, to take the advice of his barons when giving away heiresses and their lands in marriage, demonstrates the continuing importance of the lordly role in female succession.⁸⁸

Royal, ducal or seigneurial interest was a further pressure on inheritance, particularly later in the period: in pre-1066 Normandy, the position of the landholder and the right of inheritance was strong.⁸⁹ There are some early hints of growing ducal confidence, such as Duke William's role in the succession of Mabel de Bellême, in partnership with her powerful husband Roger de Montgomery, when the ducal will was seemingly strong enough to disinherit a male claimant (Mabel's brother Oliver). Tabuteau mentions a further example of ducal intervention in succession, within a less high-ranking family, and she also found that lordly involvement played an important role in the descent of the castle of Moulins-la-Marche, causing it to deviate from the expected line of

⁸⁵ J. C. Holt, 'Feudal society and the family in early medieval England, IV: the heiress and the alien', *TRHS* 5th ser. 35 (1985), 1-28; Milsom, 'Inheritance by Women'; see also Searle, 'Women.'

⁸⁶ The evidence is not clear. Holt, 'Heiress', 8, found that none of the instances of female succession recorded by Orderic involved joint tenure, but all saw descent of the inheritance to a single heiress. Caution is needed, though; an exception, for instance, is the division of the Bellême lands between Mabel and Adeliza, and there are also examples of partible female inheritance from England.

⁸⁷ *GND*, II, 118-9; Orderic, II, 46-9, and 364-5 for Chibnall's interpretation. See Tabuteau, *Transfers*, p. 62, for another example.

⁸⁸ Milsom, 'Inheritance by Women', pp. 63-6, at p. 65; Hudson, *Land*, pp. 112-3.

⁸⁹ Holt, 'Notions of patrimony', 199, asserts that eleventh-century Norman inheritance was 'more like a primordial right over which, in time, the dukes came to exercise superiority'; Tabuteau, *Transfers*, particularly chapter five; Holt, 'Politics and property', 5-6; J. G. H. Hudson, 'Anglo-Norman land law and the origins of property', in Garnett and Hudson, pp. 198-222, at p. 203.

inheritance.⁹⁰ The conquest of England may have given rise to greater ducal intervention in succession, by leading to more complex inheritance settlements which required seigneurial involvement or at least approval.⁹¹ The lord's interests in succession began to feature prominently from the time of Henry I, probably in part reflecting a real change, but possibly also a result of the greater detail provided by Orderic's evidence. Henry's support for Eustace in 1103 played an important part in determining the tenure of the honour of Breteuil, and the king's will proved decisive again fifteen years later when he replaced Eustace with Ralph de Gael, the brother of one of the defeated 1103 claimants, in punishment for Eustace's defiance. That the king could chop and change between claimants shows how the fluidity of claim hierarchy could be exploited.⁹² In 1118 Henry blocked the succession of Amaury de Montfort, a powerful French baron who had previously opposed Henry, to the county of Evreux after the death of its previous incumbent, Amary's uncle. In same year Henry's plan to share out the Laigle lands between the three claimants incited Richer de Laigle's opposition.⁹³ Yet within a year and a half, both Amaury and Richer had achieved their objectives: seigneurial intervention in hereditary descent, while influential, was certainly not all-powerful.

The inheritance-acquisition custom provided another variable.⁹⁴ The custom has two main effects on the practice of inheritance, and our view of it. First (and in the same way as pre-mortem granting), it can disguise a shift to unigeniture. It may be that later on in the period, primogeniture was preferred to partition, but because a vast amount of acquired land had flowed into Normandy after 1066, division of property continued – but following *this* custom, rather than the broader tradition of hereditary division. Second, as this implies, the inheritance-acquisition custom tempered the effects of impartible inheritance. It allowed fathers to provide something for younger sons, acting in accordance with (and thereby reinforcing) the view that all claimants had some right,

⁹⁰ Tabuteau, *Transfers*, p. 62; Tabuteau, 'Moulins-la-Marche.'

⁹¹ Holt, 'Politics and property', 19-21.

⁹² Orderic, VI, 44-5. In fact, so convincing was the turnaround that Robert of Torigni, writing two decades later, regarded Eustace's lordship as a usurpation, only reversed by Henry in 1118: GND, II, 230-1. Tabuteau, 'Moulins-la-Marche', suggests that dukes always retained strong control over possession of castles, since they were so important to the safety of the duchy, and the dukes did not necessarily have to play by the rules of inheritance; see also Holt, 'Politics and property', 25-7.

⁹³ Orderic, VI, 188-9; Green, *Henry*, p. 139.

⁹⁴ See discussion at chapter two; the earliest appearance of the custom in a legal text is not until c. 1115: *Leges Henrici*, 70.21.

while retaining the integrity of the patrimony to the advantage of the dynasty and of the lord.⁹⁵

The enlargement and re-alignment of the Norman world ushered in by the conquest of England could not but affect landholding and inheritance. The picture is varied; no single trend predominated in the post-Conquest years, but the practice of inheritance became more complicated.⁹⁶ First, the creation of large, cross-Channel estates raised practical problems of landholding for the aristocracy, not dissimilar to those facing the ruling house. How were these scattered lands to be managed and passed on? A single fief or a cluster of neighbouring lands could be transmitted quite easily via impartible inheritance, allowing the entire inheritance to remain under one landholder, or via partible inheritance, involving joint tenure and collaboration. The unwieldy nature of the new aristocratic estates, spanning two realms, made their transmission problematic. With two heirs, division was the more obvious solution, allowing lands to be broken up into manageable chunks, but impartible inheritance through primogeniture cultivated wealthy and prestigious cross-Channel honours, thereby raising the stature of the dynasty.

Second, the way in which the Anglo-Norman realm was ruled also proved important. After 1087, the separation of England and Normandy threatened the survival of cross-Channel estates; this was a major concern of the barons in 1088 and 1101. Holt has shown how each possible aristocratic tenurial situation in 1087 was dangerous. The royal-ducal division compromised the unity of cross-Channel family holdings under one lord, because the conflicting demands of king and duke fostered dissent. A division of lands between two heirs was also problematic: a troublemaker on one side of the Channel had support on tap in the form of friends and kinsmen settled on the other side, increasing the threat of rebellious barons.⁹⁷

⁹⁵ Holt, 'Politics and property', 12-3.

⁹⁶ For analyses of inheritance practice in the post-Conquest generation (with rather disparate findings), Holt, 'Politics and property', 14-7, and appendix 2; Le Patourel, *Norman Empire*, pp. 190-5; J. Le Patourel, 'Norman barons', in his *Feudal Empires: Norman and Plantagenet* (London, 1984), VI; Christelow, 'Division'; Percivall, *Ideals*, pp. 128-34; Strevett, *Anglo-Norman Aristocracy*, pp. 231-7.

⁹⁷ Holt, 'Politics and property', 18-9.

Third, the Conquest meant that there was more available land, easing the pressure on inheritance. As English land was initially acquired, rather than inherited, the inheritance-acquisition custom could be applied. Acquired lands granted were usually small, perhaps only as a token gesture from father to son, and may also have been temporary: Roger de Montgomery gave the island of Robehomme to one of his younger sons until he should acquire his own honour.⁹⁸ The rationale of the custom was to facilitate provision for younger sons, if the landholder so wished (the custom was permissive, not compulsory), but this was undermined by the scale of the Conquest. The balance between inheritance and acquisition was upset, as the acquired lands were usually larger and more valuable than the Norman estates, although the patrimony retained a prestige associated with generations of dynastic possession and transmission. Flexibility was therefore required, and by the succession of the third generation after 1066, acquired land had become inherited land (by nature acquisitions remained as such for just one generation). With no further expansion after 1066, the pressure of apportionment had to find a new outlet, which may well have been the development and formalisation of parage – the tendency towards partition remained influential.⁹⁹

Norman inheritance custom after 1066 was closely linked to landholding in England. Hereditary and tenurial arrangements therefore had to take account of the demands of holding and transmitting land in two realms. For instance, a division of English and Norman lands between two sons differed from the succession of one of two sons to Norman lands alone, although the end-result was the same, the concentration of the Norman property in the hands of one heir. In the first case the Norman landholder's brother was provided for (by English lands), but in the second, he was left empty-handed. This difference has obvious implications for the potential for kin conflict. Inheritance was complicated after 1066, with the introduction of new opportunities creating new possibilities and new problems. Norman families who cultivated no interests in England did not face the same difficulties, although eventually they may have been indirectly affected by new or changed inheritance custom.¹⁰⁰

⁹⁸ Sauvage, *Troarn*, pp. 352-3.

⁹⁹ Holt, 'Politics and property', 42; also Holt, 'Notions of patrimony', 213.

¹⁰⁰ Holt, 'Politics and property', 33-6, makes a similar observation for England.

Conflicting perceptions, one favouring partibility and the other impartibility, and difficulties arising in more complex situations, directly facilitated family disputes. Conflict resulting from the competing expectations of elder and younger sons is best seen in the Montgomery-Bellême inheritance. On the death of Roger de Montgomery, his eldest son, Robert de Bellême, already in possession of the maternal inheritance, succeeded to the Norman properties; Roger's second son, Hugh de Montgomery, took on the English estates. Of the remaining four sons, Orderic tells us that Roger acquired lands for his namesake and for Arnulf, charter evidence confirms the same for Philip, and Evrard became a royal chaplain.¹⁰¹ Interestingly, Orderic condemns Robert for his exclusive assumption of the Norman lands: 'being richer and more tyrannical than all his brothers, [Robert] forcibly disinherited them; he seized all the patrimony of his ancestors in Normandy and Maine and enjoyed sole possession of it for many years.'¹⁰² The implication is that the Norman lands ought to have been divided. While Orderic's animosity towards Robert probably affected his testimony, his implicit reliance on the norm of partition to denounce Robert suggests it had current and continuing relevance, even when English lands had provided handsomely for a second son. The first hint of fraternal tension comes several years later. When Hugh died unmarried in 1098, Robert swiftly claimed Hugh's earldom of Shrewsbury, offering the king a hefty £3000 relief payment, although his younger brother Arnulf, who held lands in Pembrokeshire and had been working closely with Hugh, was perhaps the more natural successor.¹⁰³ Four years later, Robert and his brothers Roger and Arnulf were driven from England after rebelling against the king, and their lands confiscated. While Robert could return to his Norman lands, and Roger withdrew to his wife's lands in Poitou, Arnulf had no continental possessions. At this point in the narrative, Orderic again levels an accusation of greed against Robert. 'He alone enjoyed the inheritance of his ancestors, allowing no share to the brothers who had been disinherited on his account.' Arnulf's next act confirms this. Arnulf deserted Robert, apparently 'outraged at all the struggles he had endured to no purpose on his brother's behalf', and taking his brother's men with him,

¹⁰¹ Orderic, III, 148-51, VI, 30-3, and IV, 302-3 (although here he suggests that Roger and Arnulf acquired their honours independently). See Thompson, 'Family and influence'; Thompson, 'Robert of Bellême'; V. Chandler, 'The last of the Montgomerys: Roger the Poitevin and Arnulf', *HR* 62 (1989), 1-14. Percivall, *Ideals*, pp. 214-8, 238, considers the inheritance of each son in turn, and suggests that Roger's efforts in making provision for every son before his death represented ideal paternal behaviour.

¹⁰² Orderic, IV, 158-9. See M. Chibnall, 'Les droits d'héritage selon Orderic Vitalis', *Revue historique de droit français et étranger*, 4th ser. 48 (1970), 347.

¹⁰³ Orderic, V, 224-7; Thompson, 'Robert de Bellême', 275; Chandler, 'Montgomerys', 8-10, suggests that Hugh had nominated Arnulf his heir: there is no evidence for or against this.

seized the castle of Almenêches, a family stronghold in the heart of Robert's Bellême lands, and handed it over to the duke (who was at loggerheads with Robert).¹⁰⁴ Arnulf was ingratiating himself with the duke by offering such a prize, but he could simply have left Robert and joined the ducal fold without undertaking a risky mission against his powerful brother's castle. This was a very definite act. Arnulf's focus on Almenêches was probably an attempt to stake a claim to *some* share in the patrimony, since he had been stripped of his own lands and he had lost out again after the death of Hugh. Furthermore, the fact that Arnulf attracted significant support from the men of the notoriously ruthless Robert suggests that he had some recognisable claim.

The combination of Orderic's invocation of the norm of partition as a source of reproach towards Robert and Arnulf's definitive breach with his brother suggests longstanding friction within the Bellême-Montgomery landed arrangement, particularly after the opportunity twice arose for further distribution of the lands between the brothers, neither of which were taken by Robert. The conflicting hopes and expectations of younger and elder brothers are also suggested by the case of William, who contested a grant made to Mont-Saint-Michel by his two (probably elder) brothers, in an attempt to secure a part in the family lands.¹⁰⁵ The participation of two Grandmesnil brothers in the first rebellion of Robert Curthose may also have been motivated by concerns over the descent of family lands. Ivo and Aubrey, the two youngest sons of Hugh de Grandmesnil, faced poor hereditary prospects. There were certainly two, possibly three, brothers above them in the pecking order. The eldest, Robert, would receive his father's Norman patrimony. The second, William, was probably intended for the English lands, but he left Normandy probably sometime between 1080 and 1087 when he incurred the displeasure of both his father and Duke William by rejecting a proposed marriage to the daughter of Robert de Mortain.¹⁰⁶ As a result of this, and of the premature death of another elder brother, Ivo did eventually succeed to his father's English acquisitions.¹⁰⁷ However, this outcome was far from clear in 1077, when Ivo and Aubrey probably saw

¹⁰⁴ Orderic, VI, 32-3. The criticism of Robert is repeated at VI, 398-9, in the context of a struggle against another kinsman which occurred around the same time.

¹⁰⁵ Mont-Saint-Michel, 24.

¹⁰⁶ Orderic, IV, 338-9. See also Hagger, 'Hugh de Grandmesnil.'

¹⁰⁷ Hugh had five sons: Robert, William, Hugh, Ivo, and Aubrey. According to Orderic, IV, 338-9, Hugh junior died as a youth, presumably late on as he was already a knight. If it was after Curthose's rebellion, then Ivo and Aubrey were even further down the pecking order in 1077, as fourth and fifth sons respectively.

joining the household of the future duke of Normandy as their best chance of advancement; their involvement in Curthose's rebellion may well have been an expression of discontent with their hereditary outlook and place in the family, an attempt to force a claim to some provision.

As Holt has remarked, 'just as the inheritance could be derived from several sources, so it might be subject to varied claims, not just from sons but from brothers and nephews.'¹⁰⁸ In the more difficult instance of collateral succession, inheritance did not necessarily occur automatically, as the case of Warin de la Mare suggests, while the Breteuil struggle shows that there was no standard solution to the disputed primacy of claim between illegitimate direct descendants and legitimate collateral relatives. The fluidity of inheritance practice permitted and even encouraged kin conflict over land tenure and succession in the case of collateral claims; the same was probably true of pre-mortem grants of land, rooted in the divergent views of the principal heirs (who stood to lose) and other claimants (who stood to gain). There are two clear cases from charter evidence which may represent this sort of dispute. Robert de Beaufour claimed that he had received land as a hereditary gift (*hereditario dono*) from his uncle, but his claim was refuted.¹⁰⁹ Hugh son of Turulf, in litigation with the monks of Préaux, claimed that he had received the disputed land from his uncle Humphrey de Vielles. It is immaterial whether or not the claims of Robert and Hugh were true, although Roger de Montgomery did not contradict Hugh when mediating the Préaux dispute (as Humphrey's son and the abbey's protector), suggesting there was some substance to Hugh's claim.¹¹⁰ More importantly, Robert and Hugh made statements relying on the possibility that they *could* be true, invoking the norm of family granting and exploiting the fluidity of familial landholding arrangements which made such grants possible.¹¹¹

Several aristocratic family struggles related to female tenure or succession.¹¹² The hand of a wealthy heiress was a great prize, so the marriage of any daughter who stood to

¹⁰⁸ Holt, 'Notions of patrimony', 205.

¹⁰⁹ *RADN*, 229; see chapter five, n. 71.

¹¹⁰ Préaux, A1.17.

¹¹¹ The question of whether pre-mortem grants had to be maintained by the new lord after the death of the granter is difficult; in twelfth- and thirteenth-century England, there was apparently no obligation on elder sons to maintain an allocation of land to a younger son made by the father in his lifetime: Milsom, 'Inheritance by women', p. 62.

¹¹² Note Holt, 'Heiress', 5-6.

inherit could be a source of discord, but the available examples focus on the aftermath, the problems raised by female succession. I have already suggested that Mabel de Bellême received Domfront instead of Adeliza, who probably had the better right, because Mabel was married to a ducal confidante. The focus on Domfront of later warfare between the respective male descendants of Mabel and Adeliza bears out the significance of this female succession, which was apparently closely tied to the marriage. A dispute between the distant kinsmen Ascelin Goel and William de Breteuil over the castle of Ivry also drew on claims rooted in different female ancestors.¹¹³ Second marriages too could create obstacles in the descent of lands held by women. William de Roumare rebelled in 1123 when his stepfather seized his mother's land and gave it to the king, and reconciled with Henry only several years later, when he succeeded in winning back the land.¹¹⁴ A challenge brought by Ilbert, son of Pain Mondoubleau, hints at similar trouble between Ilbert and his stepfather over the descent of his mother's lands. Ilbert made the claim only when he had recovered (*recuperavit*) Mondoubleau, suggesting his stepfather had initially taken or withheld his maternal inheritance.¹¹⁵

Properties in female hands may have presented tempting targets. During his rebellion, Guy of Burgundy seized the castle of Le Homme from his mother Adeliza, who had bought it from her brother, Duke Robert I. He then gave it to Vicomte Nigel of the Cotentin, to secure his support in the uprising. Guy probably thought the castle was easy booty; certainly, Adeliza did not regain control of the castle for decades, and was still anxious in 1075 that Nigel might take it back.¹¹⁶ Meanwhile, the claims of Ralph Lutrel to Préaux property were probably facilitated by the weaker female succession, tenure and transfer of the land. Indeed, Godard, another brother, had warranted the land on behalf of his sisters during the original grant, and had secured Ralph's consent; the sisters' attendance was not noted in the subsequent quitclaim, but they were represented

¹¹³ Orderic, IV, 198-201; Holt, 'Heiress', 6, n. 17.

¹¹⁴ Orderic, VI, 332-5; see Hollister, *Henry*, p. 293. Orderic suggests William's opposition only lasted for two years, but then later (380-1) states that he was only reconciled on the death of William Clito (1128).

¹¹⁵ *RRAN: William I*, 173.

¹¹⁶ Above, n. 42.

by Godard and by Girold, the husband of one of the women, in the document at least and perhaps in the hearing itself.¹¹⁷

Norman inheritance custom enabled and encouraged the outbreak of familial strife focused on the patrimony and its descent. However, it also facilitated the emergence of discord not explicitly or exclusively focused on tenure and inheritance: the fluidity of hereditary succession and landholding provided a framework for the promotion of a range of grievances. As with the ducal house, conflict revolved around control of resources and attendant power and status, and the most effective means of securing land or wealth was to lay claim to some, or all, of the family lands. Examples are fewer than for the ducal family, but some cases provide hints. Apart from clear succession disputes, such as Breteuil in 1103 and Gilbert's brothers who harassed the Jumièges monks, most dynastic squabbles were not focused on the entire family patrimony; familial agitators probably rarely demanded the whole inheritance, or even necessarily a major part in it. Instead, they used the leverage of that possibility to secure acknowledgement of their claim and acquire some (perhaps small) territorial, monetary or material share in the family resources and interests. While it can be dangerous to infer purpose retrospectively from outcome, the terms of the agreement between Waleran de Meulan and Robert du Neubourg suggest that Robert was satisfied simply with some remuneration, even if it was not what he had originally sought. Robert received an annual pension and several properties and privileges, drawn from Waleran's honours of Pont Audemer and Brionne, and the county of Meulan. Brionne is close to Robert's lands at Le Neubourg, but Beaumont is closer still, and given Robert's activities in support of Clito in 1118-19, it is almost certain that his original claims focused on land in the Beaumont honour; yet no land, property or rent from this area is included in the pay-off. Nevertheless, it is clear that Waleran considered Robert's grievances addressed and the dispute ended: 'And by this convention [Robert] became my man against all men, save for his faith to the duke of Normandy, and he quit all the claims and complaints that were between us...' ¹¹⁸

¹¹⁷ Préaux, A27; Préaux, A84. On warranty in eleventh-century Normandy, Tabuteau, *Transfers*, pp. 196-204.

¹¹⁸ Préaux, B3. *Et pro hac conventionione factus est homo meus contra omnes homines, salva fidelitate domini Normannie, et clamavit adquietas omnes calumpnias et querelas que erant inter nos...*

The place of conflict in Norman society

In the second section of the chapter, I consider the potential difference of familial aristocratic conflict; the prevalence of conflict; and the impact of conflict. Aristocratic kin conflict does not seem to have been considered unusual or distinctive. Dynastic strife fits in with the picture of regular neighbourly skirmishes, regional infighting and cross-border warfare: discord appears woven into the tapestry of local society. For instance, there is little in Orderic's account to indicate the specifically familial nature of the conflict between the half-brothers William d'Evreux and Ralph de Tosny, apart from an allusion to Lucan's *Pharsalia*, and a mention of the aggressors' collective grief on the death of a common kinsman. Like most localised feuding, the dispute took the form of reactive forays into each other's land: 'The faction of Evreux had many supporters, and often plundered and burnt in the territory of the men of Conches, who in their turn paid their enemies in the same coin.'¹¹⁹ Orderic's preface to the Breteuil dispute indicates that he considered the conflict to be defined more by its regional than by its familial dimensions, and representative of contemporary Norman unrest: 'After this the wars, which were already smouldering, flared up for various reasons almost everywhere in Normandy ... At that time a great conflict broke out between the men of Breteuil and Evreux and their other neighbours.'¹²⁰ Similarly, the struggle between the Mortagne lords and Robert de Bellême was waged via the customary burning and plundering of the region; again, Orderic used his description of this quarrel to stand for all contemporary conflict, dynastic or not: 'Everywhere throughout Normandy similar seeds of discord were sown between lords, and provided a fertile source of tragedies.'¹²¹

Land and the bonds of lordship could prove more significant than family interests. Henry certainly recognised and exploited this to his advantage, in the case of Hugh, son of Pain de Gisors. Hugh was in Henry's service, but Pain, along with Hugh's brother Hervey, joined the pro-Clito uprising of 1123-24. Just to make sure that Hugh knew where his best interests lay, Henry granted to Hugh his paternal inheritance, 'and utterly disinherited the perjured old man and his son Hervey.'¹²² Another striking

¹¹⁹ Orderic, IV, 212-7 (quotation at 214-5).

¹²⁰ Orderic, VI, 38-41.

¹²¹ Orderic, IV, 160-3; VI, 396-9.

¹²² Orderic, VI, 344-7. See J. A. Green, 'Lords of the Norman Vexin', in J. Gillingham and J. C. Holt, eds, *War and Government in the Middle Ages: Essays in Honour of J. O. Prestwich* (Woodbridge, 1984), pp.

demonstration of the relative strength of the bonds of lordship and of family comes from the Giroie family. Gilbert, count of Brionne and his vassal, Fulk Giroie, were killed, probably in early 1041, in an ambush by two men, one of whom was Fulk's brother, Robert Giroie. This was fratricide, and the background to the event explains how it had arisen. Fulk had joined the household of Gilbert when the count was on good terms with the Giroies, but enmity had soon arisen. This created an interlocking triangle of obligations. Fulk could not desert his lord; his brothers were obliged to defend the family land against Gilbert's attacks; and warfare between brothers was dishonourable. This last bond was the one to give way.¹²³

If accounts of aristocratic family conflict therefore do remark anything out of the ordinary, it is the fact of intra-Norman discord and the effect of lordship bonds between the protagonists. Ralph de Tosny complained to the duke not of the injuries inflicted by his kinsmen, but by his 'fellow-countrymen' (*contribuli*), suggesting the element of kinship was secondary.¹²⁴ In two examples, the dimensions of lordship and of broader civil instability actively override familial concerns. All three perpetrators are condemned for the murder of Gilbert, count of Brionne and Fulk Giroie, even though only one was Fulk's brother, showing that the fratricide was not singled out for special reproof.¹²⁵ Meanwhile, a struggle between Ascelin Goel and William de Breteuil in 1095 concerns lord and vassal first, and father and son-in-law second. William had given his daughter in marriage to his man Ascelin after an earlier clash over the castle of Ivry, in an attempt to resolve their differences, but hostilities soon resurfaced. Yet Orderic's account makes it clear that the primary relationship remained the seigneurial one: William was 'sick at heart and full of anger, because his vassal [*homo suus*] had risen up so mightily against him and had built up his power formidably', and later, when he had bested Ascelin, the latter 'sought peace from his lord and father-in-law [*domino soceroque*].'¹²⁶

47-61, at pp. 58-9, on this family. For two further examples of family allegiances split by landed interests, see the brothers Robert and Ivo de Grandmesnil after 1100, at Orderic, IV, 338-9, and Hagger, 'Hugh de Grandmesnil', 227-8, for commentary; and the Warenne brothers in 1106, at Orderic, VI, 80-3, Hyde, p. 307, and for commentary, Green, *Henry*, pp. 76-7, and Hollister, 'Taming'.

¹²³ *GND* (OV), II, 92-5; Bickford Smith, *Orderic Vitalis*, pp. 113-4.

¹²⁴ Orderic, IV, 214-5.

¹²⁵ *GND* (OV), II, 94-5.

¹²⁶ Orderic, IV, 286-91; quotations at 288-9, 290-1.

The two questions of how embedded family discord was, and what impact it had, can be explored together, because the same considerations give insight into both. The evidence for the emergence of conflict, already discussed, suggests the potential recurrence and disruptiveness of disputes. We can build up the picture of internal aristocratic discord and its place in Norman society by considering the broader nexus in which it operated, and also the potential for conflict independent of events at the ducal level.

Many episodes of dynastic strife within the upper aristocracy were related to wider political disorder. Robert du Neubourg switched his support from King Henry to William Clito after the former had rejected his land claims, as did Richer de Laigle (more fruitfully). Disputants were pragmatic in their search for backing: after Duke Robert failed to provide aid, Ralph de Tosny successfully petitioned the duke's rival, William Rufus. The benefits of support are obvious, and alliances allowed both parties to exploit the grievances of the other to further their own ambitions. For instance, King Henry's intervention was important in securing Eustace's victory in the struggle for Breteuil, but also enabled Henry to extend his power in Normandy, thereby undermining his brother's ducal rule; indeed, the alliance may have been initiated by the king. As shown in the previous chapter, disruptions at the level of the duchy (and particularly within the ducal house) provided an effective channel for expression of baronial grievance. Such grievance could be rooted in family conflict, so, on the other side of the coin, backing from above endowed a familial antagonist's claim with greater legitimacy and rendered their threat more potent. Attachment to a wider cause also brought the complaint to the attention of the leader of the cause, who might then provide assistance in resolving the grievance.

Involvement in duchy-level politics and disorder could therefore prove a powerful bargaining tool, so the possibility of support from above could prompt or widen fissures within family groups. For instance, the support of Ivo and Aubrey de Grandmesnil for Curthose's first rebellion was probably underlain by the brothers' concerns over their share of family lands. The boys' participation would certainly have been a slight to their father, Hugh de Grandmesnil, who was a staunch ally of the Conqueror. There is no independent evidence of an open family dispute, so it is quite likely that the brothers' involvement was prompted in the first place by the fact of the turmoil, and the opportunity it offered to air their own discontent. Similarly, Robert du Neubourg's

claims against his cousin Waleran de Meulan may have been stimulated by the possibility of an alternative and threatening higher source of authority to which to appeal. Initially this was William Clito (1118), but Robert's claims continued to coincide with times of political disorder in Normandy, and on two further occasions he exploited the threat of Geoffrey of Anjou to assert his right to the lands. Of course, it is impossible to know if the quarrel continued away from high politics and times of wider disorder. Nevertheless, this correlation between Robert's principal moves and the availability of powerful backing is striking, and Robert's second alliance with Geoffrey did in fact prove successful, when Waleran was forced to come to terms with Robert in 1141 when he joined Geoffrey's faction, to which Robert was already an adherent.¹²⁷

Two clear instances of dynastic splits provoked or exacerbated by the potential for collaboration come from the Bellême house. The variance between Robert de Bellême and Duke Robert in 1102-3 gave Arnulf de Montgomery an opportunity to break from his brother and lay claim to a share in the Bellême lands, by allying himself with Duke Robert. Arnulf had burnt his bridges with King Henry, so the duke was his main possible source of backing; had the two Roberts not been at loggerheads, it is unclear to whom Arnulf could have turned for support. Arnulf presumably hoped that Curthose would crush Robert and confiscate his property, granting some or even all of it to Arnulf as his due. However, the duke was defeated and came to terms: Robert was confirmed in his lands and his authority across the duchy increased; Arnulf spent the rest of his life as a peripatetic wanderer.¹²⁸ The potential for aid from above may also have prompted the second round of the kin dispute over Domfront, waged between Robert de Bellême and Rotrou de Mortagne, although the evidence is more circumstantial. Robert was now back in the duke's favour, so Rotrou knew it was unlikely that Duke Robert would settle the dispute to his advantage. King Henry, however, had interests and an influence in Domfront stretching back over a decade, and was aiming to increase his power in Normandy at this time (c. 1104) to undermine ducal rule. It is quite possible that Rotrou's awareness of the likelihood of some support from Henry moved him to reopen the quarrel; if so, he was not wide of the mark. On Henry's

¹²⁷ In 1141, Geoffrey rewarded Robert with some of Waleran's estates, and Waleran subsequently deserted Stephen and joined the Angevin party. Although Waleran regained the estates, Robert's temporary possession may have formed the basis of the settlement terms between the cousins. Crouch, *Twins*, pp. 33-4, 51.

¹²⁸ Orderic, VI, 34-7; on Arnulf, Chandler, 'Montgomerys'.

visit to Normandy in 1104, he entertained Rotrou at Domfront in a symbolic demonstration of his power, and probably on the same trip sealed the alliance by granting Rotrou an illegitimate daughter in marriage. After Robert de Bellême's imprisonment by Henry several years later, some of Robert's lands, which may have included Domfront, were indeed granted to Rotrou.¹²⁹

There is less evidence for the support of aristocratic dynastic disputants from below, but quarrels within aristocratic and even knightly families were probably exploited by followers and vassals, just as rivalry within the ducal ranks was exploited by the baronage. The manpower lent to a cause could prove influential. In 1103, Eustace drew support from the honorial barons, and Orderic suggests this played a significant role in his success: 'The Normans, however, accepted Eustace, [William de Breteuil's] son by a concubine, because they chose to be ruled by a fellow countryman who was a bastard rather than by a legitimate Breton or Burgundian.'¹³⁰ Aggrieved heirs or claimants may have been similarly prompted, or at least encouraged, to take up arms by the prospect of receiving support from below. This may be true of Arnulf de Bellême's action against his father, William Talvas. Orderic places the account directly after a description of the growing resentment of Talvas and attacks on his land by his own vassals (prompted by outrage at Talvas' mutilation of one of his men). By drawing a link between Arnulf's deed and these happenings, Orderic implies that Arnulf exploited this discontent from below, and even suggests that the men of the honour may have been the driving force behind the ousting of father by son: 'Finally, [William's] son Arnulf, observing all these events and advised by his magnates [*optimatum suorum consensu*], rebelled against his father, who was hated by all.'¹³¹

As with family conflict at the ducal level, the ready acceptance and exploitation of wrangles within aristocratic kin-groups suggests the fundamentally pragmatic character of political society. The potential for family disputes to link into broader unrest in the duchy, and garner increased momentum and threat from opportunistic alliances was destabilising to family dynamics. The availability of support both made basic tensions more likely to escalate into outright conflict, and the resultant disputes more dangerous.

¹²⁹ On the Domfront meeting, Orderic, VI, 56-7; on the marriage, Orderic, VI, 40-1; and on Robert's lands after his imprisonment, Orderic, VI, 178-81. Thompson, *Perche*, pp. 55, 61-2.

¹³⁰ Orderic, VI, 40-1.

¹³¹ *GND* (OV), II, 110-3.

Having said this, however, the overlap between aristocratic family conflict and wider disorder is not entirely representative: it reflects partly the closeness of ducal and high aristocratic society, and partly the probable greater reporting of kin dissension when bound up with broader instability. The picture is therefore not complete. Familial discord could find expression independent of high politics or wider happenings; these stand-alone, local disputes contribute significantly to the entrenchment of family discord within aristocratic and knightly ranks.

Smaller-scale dynastic quarrels, neither directly dependent on outside support nor related to wider disorder, were probably the more frequent and representative form of kin conflict. These disputes often involved lower aristocratic and knightly families (although again this may be due to source bias, as evidence for this kind of dispute comes from documentary rather than narrative sources). There are occasional records of squabbles enacted in a purely secular arena, while other instances of discord reach us only because of monastic interest in the property in question. These disputes must have been more common than the surviving evidence suggests, due to the improbability of the creation or preservation of any record without ecclesiastical involvement. Furthermore, there is nothing in the tone or form of the documentary evidence to suggest there was anything extraordinary in the occurrence of such disputes.¹³²

These sorts of cases probably present the most typical picture of family conflict, conducted on a small scale at local level, often involving middle-ranking families of moderate resources, with a potential to persist and seldom allied to broader political movements. During times of instability and disorder in Normandy (itself often related to rivalry within the ducal house), family quarrels could certainly escalate. But there is little to link cases such as Ralph Lutrel's repeated attempts to seize his sisters' inheritance, or the dower dispute between Adela and the family of her late husband, with the affairs and disputes of rulership. The internal family situation and perhaps local matters played a far greater role in conflict. Persistent underlying discontent within a family, perhaps rooted in an earlier succession, created the potential for long-term discord; conflict could give rise to further conflict. For instance, Arnulf de Bellême may have lost his life at the hands of his brother Oliver, who was perhaps acting in some

¹³² See chapter five, pp. 180-1, for this argument in relation to family disputes over monastic patronage.

capacity for their father whom Arnulf had expelled from the patrimony.¹³³ The fact that family strife could be expressed informally within the local context, independent of higher outlets, suggests the potential force and pervasiveness of such conflict.

¹³³ Although Talvas probably did not regain his fiefs, he did direct their descent to his daughter Mabel and her husband Roger de Montgomery. *GND*, II, 112-3, 118-9; see Thompson, 'Family and influence', 219-21.

Chapter Five

Family conflict in disputed monastic patronage

Writing around 1115, the Benedictine monk and historian Guibert de Nogent lamented the disrespect shown by heirs towards the monastic patronage of their ancestors: ‘For now, alas, those gifts which their parents, moved with the love of such things, made to the holy places, the sons now withdraw entirely or continually demand payment for their renewal, having utterly degenerated from the good will of their sires.’¹ The final chapter considers family conflict over patronage of the Church, drawing on quantitative charter material and qualitative narrative evidence. Claims to, and seizures of, lands or rights donated by an ancestor or living relative to a religious foundation appear recurrently in the acta of Norman abbeys, usually in documents recording the subsequent renunciation of challenges and restoration of claimed property. This significant body of evidence merits separate consideration, because it raises different issues, related to the involvement of the Church and to the particular opportunities and limitations of the charter evidence. Despite this significant filter, the same patterns and factors emerge as important: the frequency and acceptance of kin disputes; the centrality of family land in provoking conflict, facilitated by a framework of fluid inheritance custom; and the dominance of individual over familial interest at the root of disputes.

The chapter is divided into five sections. I begin by providing an overview of evidence, and consider its problems and possibilities. I then focus on perceptions and models of monastic patronage, and the way in which family and individual interests interacted with patronage. From this basis, I consider how common were kin challenges to ecclesiastical patronage in practice, and argue that such claims were a recognised pattern of behaviour. I then examine how the challenges related to specific concerns of hereditary landholding and inheritance, and find that claims made either after the death or during the lifetime of the donor operated against the background of fluid inheritance norms, and were therefore often focused on the moment of familial reorganisation and succession. Finally I show that claimants were largely motivated by pragmatic individual interest, directed towards their fortunes in this life or their fate in the next, rather than by broader family concerns.

¹ Guibert, *Memoirs*, 1.11.

The sources

The source material for this chapter comes from the cartularies of nineteen Norman abbeys, in published, microfilm, and manuscript form.² This sample represents ducal and aristocratic houses, and provides a geographical spread across Normandy. I have also taken into consideration the cartulary of the cathedral chapter of Bayeux, and the published Norman ducal and royal acta for the period, while books five and six of Orderic's *Ecclesiastical History* contain some charter material relating to Saint-Evroul and its offshoot priories.³ This evidence has yielded 68 cases of challenges to the monastic patronage of the claimant's ancestors or relatives, a solid quantitative basis that nevertheless probably only represents the tip of the iceberg. Charter evidence permits consideration of a broader social spectrum than narrative sources alone, because of widespread involvement in religious patronage. The greatest evidence, in quantity and quality, relates to the ducal dynasty and the high aristocracy, but the documents also give significant insight into disputes among the lower aristocratic and knightly classes.

The two major difficulties associated with the charter material raise a number of issues.⁴ First, the monastic, beneficiary monopoly on the creation and preservation of the records makes it difficult to reach lay views. It can be challenging to reconstruct the rationales of lay claimants because the sources give only an ecclesiastical, and predominately monastic, viewpoint. Charters were produced by ecclesiastical scribes, for the use of the religious house; there was almost certainly no ducal chancery in Normandy at this time, and transactions between lay parties were rarely recorded – or at least, have not survived.⁵ There are factors which can mitigate this drawback.

² See introduction, p. 14, for details.

³ Chibnall, in Orderic, III, pp. xx-xxiv, considers Orderic a largely accurate copyist and paraphraser of the charter material, recently backed up by Garnett, 'Curthose', 16, n. 18, and 13-18 for the wider argument.

⁴ See introduction, pp. 12-4, for a broader overview of Norman charter evidence; the focus here is specifically on familial *calumniae*.

⁵ Tabuteau, *Transfers*, p. 8, and works cited; Bates, *Normandy*, pp. 154-5, 180; D. Bates, 'The earliest Norman writs', *EHR* 100 (1985), 266-84, at 270, 280; R. A. Brown, 'Some observations on Norman and Anglo-Norman charters', in D. E. Greenway, C. Holdsworth, and J. Sayers, eds, *Tradition and Change: Essays in Honour of Marjorie Chibnall Presented by her Friends on the Occasion of her Seventieth Birthday* (Cambridge, 1985), pp. 145-63; Haskins, *Institutions*, pp. 49-58 (on Duke William II), 70-78 (on Duke Robert II); C. Potts, 'The early Norman charters: a new perspective on an old debate', in C. Hicks,

Occasionally, a document provides details about a lay actor's behaviour or motivation, or reports words spoken at the ceremony, which ring true, and such instances can reveal something of the lay mentality. Duke William's jocular demonstration of how land 'ought to be given', by making to drive the ceremonial knife into the abbot's palm, is a good example.⁶ Insights gleaned from narrative sources can alleviate the monastic viewpoint of the charters. For instance, although Orderic was a monk, he had a freer hand in his representation of events and views in the *Ecclesiastical History* than we find in the often terse acts; furthermore, Orderic's presence at the proceedings of patronage and his familiarity with the lay parties involved endow his evidence with veracity. Other chronicle sources and literary evidence can also help to offset the overtly monastic character of the acts.

Related to monastic production, but posing separate problems, is the fact that all charter sources were composed by the beneficiaries, who were of course also the monks.

Having the view of only one party in a two-sided transaction inevitably affects interpretation. Furthermore, even the few surviving records of lay transactions are ecclesiastical compositions. This bias is particularly problematic in cases of *calumniae*, when two parties were pitted against one another over the possession of monastic land, but only one of whom created a record of the event. Beneficiary production affects both the creation and the character of the reports. Religious houses had little need to create or retain records relating to lands or rights which were no longer in the monastic demesne, so suits they had lost were usually not documented. This explains why, in almost all *known* cases, the lay claim was defeated or a settlement reached in which the church retained at least part of the land.⁷ Furthermore, we do not have full information even for these known cases. The documents often only report the ceremony of quitclaim and restitution, with firm emphasis on the monastic recovery of the land. When documents do offer some further detail, they seldom consider the arguments of the defeated lay opponent, but instead accentuate the righteousness of the monastic cause. Lay

ed., *England in the Eleventh Century* (Stamford, 1992), pp. 25-40, particularly at p. 36. Tabuteau, *Transfers*, pp. 7-8, suggests that lay transactions occurred without charters.

⁶ La Trinité du Mont, 67; also at *RRAN: William I*, 232.

⁷ Tabuteau, *Transfers*, p. 201.

contentions are decried as baseless, and attributed to greed, violence, or bellicosity, or even no rationale at all.⁸

The second major problem lies in the patchiness of the evidence, and the probable lower survival rate of familial *calumniae*. Both contemporary scribal practice in the drafting of documents, and the varied approaches of later cartulary copyists, had a significant impact on the level of detail recorded or retained and on the preservation of the acts. There was diversity of practice between scriptoria, and patterns and formulae took decades to establish themselves. Tabuteau speaks of ‘great fluidity of language concerning even the simplest transactions, and virtual anarchy when complex ones are involved.’⁹ Documents composed in one scriptorium might include certain features that others did not. For instance, documents from Mont-Saint-Michel often detail spiritual injunctions against disrespect of land grants, or highlight the spiritual inspiration behind grants (whether from God or from the Devil). The inconsistency extends to the vocabulary of claims, quitclaims, and restitutions: acts of Mont-Saint-Michel often prefer the less typical *guerpire* and its variants to the more standard *quietam clamare* construction. This inconsistency of record means that cases cannot always be compared like for like, and it also indicates the potential for wider, but hidden, diversity and disparity between scriptoria.¹⁰ For instance, the scribes of one house might always record consent to acts when those of another did not, or one scribe might tend towards brevity while another favoured detail, unbalancing the evidence.

Importantly, drafting practices can also mask challenges. The difficulty of distinguishing gifts and sales is well known, and this problem also affects ceremonies and records of quitclaims, which can appear similar to those of donations.¹¹ Some filial confirmations were probably underlain by claims (shown below), and challenges are probably hidden in other acts too. For instance, charters of Saint-Sauveur-le-Vicomte regularly describe the renewal of predecessors’ grants, made ‘just as’ (*sicut*) the earlier

⁸ *Ibid.*, p. 113; Hudson, *Land*, p. 177. For a detailed discussion of the rhetoric of acts recording agreements, Roche, *Conflits*, pp. 277-84.

⁹ Tabuteau, *Transfers*, pp. 7-13, at p. 12.

¹⁰ Note also that some cases have been included when the evidence only indicates a seizure without a subsequent restoration, which may be preserved in a different type of document or mentioned in a later act: for instance, the list of losses and spoliations to the land of La Trinité, Caen: BNF, ms. lat. 5650, fos 39v-40v, printed at *Charters and Customals*, cartulary documents, 15; and the reference in Jumièges, 52, to a fraternal seizure of land upon its restoration by the son of the original usurper.

¹¹ Tabuteau, *Transfers*, pp. 28-30; Roche, *Conflits*, p. 145; White, *Custom*, p. 38.

actor had done; some of these may well have been defeated or settled lay claims.¹² Similarly, Roche shows that two acts described as sales in one of the pancartes of La Trinité, Caen, are in fact quitclaims; portraying the transactions as sales concealed the element of conflict, and gave emphasis to the acquirer rather than the donor (in this case, the prestigious figures of Duke William and Duchess Matilda).¹³

Varying practices of cartulary compilation also affect the evidence. Early Norman cartularies of the late eleventh and early twelfth centuries are rare but valuable, particularly so for a consideration of familial claims, and are represented here by the published cartulary of La Trinité du Mont, and the manuscript cartulary roll of Saint-Evroul.¹⁴ Most Norman cartularies date from later centuries, and their compilation jeopardised the survival of earlier documents (those from the eleventh century, and much of the twelfth). Papal confirmations were regularly obtained from the 1140s, meaning earlier documents were superseded and could be jettisoned; thirteenth-century cartularies sought a balance between older, prestigious acts (such as endowment documents and ducal and royal grants and confirmations) and recent acts of more immediate relevance. Fourteenth- and fifteenth-century compilers paradoxically conserved a greater number of older documents despite their lesser prestige and utility.¹⁵ The survival of acts recording challenges in later cartularies probably depended on whether or not the claimed land had remained in the monastic demesne. This is of course true of acts recording donations or sales. However, because monastic possessions which were subject to claims (perhaps repeated, and over several generations) were both causally and consequently more vulnerable, such property was more likely to have been lost, and therefore its documentation not preserved.

¹² BNF, ms. lat. 17137.

¹³ Roche, *Conflicts*, pp. 266-7. Similar concerns may be at play in another act: at Jumièges, 52, Fulk's transaction with the abbey is described as a sale, but it is likely that Fulk had in fact seized or at least claimed the land, which his father had previously sold to the monks. Three main factors suggest this: Fulk received a greater sum for the sale than had his father (six pounds to five); Fulk had not consented to his father's sale (thus giving him cause for complaint); and the dossier of documents was compiled in response to a later judgement, suggesting the sale had been the source of regular trouble. See below, n. 38, on this dossier.

¹⁴ See Tabuteau, *Transfers*, pp. 9-10, on Normandy's early cartularies.

¹⁵ Roche, *Conflicts*, pp. 124-5, confirmed by personal communication.

Perceptions of monastic patronage

Monastic patronage was, in essence, an exchange of land for prayers and spiritual commemoration. In return for the gift of land (or other items or rights) made to God (represented by his monks on earth), the donor, and sometimes his kin and other associates, received tangible and intangible rewards. Patronage represented a transaction between heaven and earth, the release of worldly goods for cumulative otherworldly reward.¹⁶ Orderic, describing the patronage enjoyed by Saint-Evroul in its early years, simply states, '[the patrons] gave earthly gifts to receive heavenly ones from God', while an act of Montebourg opens with a preamble on the futility and vanity of worldly possessions.¹⁷ The foundation charter of the priory of Maule, preserved by Orderic, even uses imagery drawn from the animal kingdom to demonstrate these ideas:

The brevity of mortal life, the treachery of men, the changes of fortune, the destruction of the kingdoms, all warn us daily of the approaching end of the world ... The wise ant ought to make provision all the more carefully when she perceives that winter is at hand, so that she may store up her grain in safety, and have a good supply of food when the cold withers the grass ... I, Peter, though a sinner and unworthy, wishing to provide for my future good, desire therefore to encourage the bees of God to make honey in the woods, so that when their jewelled hives are full of honeycombs they may render thanks to their creator, and from time to time remember their benefactor. [Intention of the grant stated] ... For whether we wish or no we shall leave all these things behind us. Nor is anything of profit to a man after his death unless he has done some good in his lifetime.¹⁸

The beliefs underpinning the practice of monastic patronage were powerful; particularly important in the consideration of kin challenges to patronage is the impact that the actions of the living on earth could have on the dead in the next life. The medieval boundary between the living and the dead was permeable. Guibert de Nogent recounts his mother's journey into purgatory and meeting with her husband there, who reassured

¹⁶ For a detailed exposition of the notions underlying monastic patronage, see White, *Custom*, chapter two, and B. H. Rosenwein, *To be the Neighbor of St Peter: the Social Meaning of Cluny's Property, 909-1049* (Ithaca, 1989), pp. 137-41.

¹⁷ Orderic, III, 118-9. *In nomine sancte et individue trinitatis ego Ricardus de Redvers videns preter id quod propter dominum fit omnia esse caduca et vanitati subiecta et que post mortem anime mee possint subvenire do et concedo...*: BNF ms. lat. 10087, act 143; printed at *Charters of the Redvers Family and the Earldom of Devon, 1090-1217*, ed. R. Bearman (Exeter, 1994), 2.

¹⁸ Orderic, III, 172-3.

her that her prayers, almsgiving and masses were relieving his suffering.¹⁹ Orderic's passage narrating the encounter of a local priest, Walchelin, with the legendary Hellequin's hunt highlights similar themes. Among the damned is Walchelin's brother, Robert, who had died a few years earlier. Robert encourages Walchelin to continue his salvation-bringing prayers for the sake of his kin:

"Up to now I have suffered unspeakable torture from these punishments. But when you were ordained in England and sang your first Mass for the faithful departed your father Ralph escaped from his punishments and my [burning] shield, which caused me great pain, fell from me. As you see I still carry this sword, but I look in faith for release from this burden within the year ... Remember me, I beg: help me with your prayers and compassionate alms."²⁰

The conviction with which beliefs about the afterlife were held, and in particular the power of the living to assist the dead in the next life, is clear: Walchelin's efforts on earth were gradually paying off Robert's sins. A further encounter directly links unjust tenure with punishment in the afterlife. A member of the rabble, identifying himself as William de Glos, seizes Walchelin:

"I have been guilty of unjust judgements and annexations [*rapinis*] in the world, and I have committed more sins than I can tell. But most of all usury torments me. For I lent my money to a poor man, receiving a mill of his as a pledge, and because he was unable to repay the loan I retained the pledge all my life and disinherited the legitimate heir [*legitimo herede exheredato*] by leaving it to my heirs. See, I carry a burning mill-shaft in my mouth which, believe me, seems heavier than the castle of Rouen. Therefore tell my wife Beatrice and my son Roger that they must help me by quickly restoring to the heir [*heredi restituant*] the pledge, from which they have received far more than I ever gave."²¹

The impact of monastic benefaction and usurpation spanned the boundaries of life and death, of heaven and earth. Those left on earth could bring salvation to their dead ancestors and relatives in the next life through deeds such as almsgiving. The power of these notions is further shown by religious houses' exploitation of lay anxieties over the next life, to secure their own advantage. It is clear from the way in which Orderic summarises Saint-Evroul's drive for benefaction that the monks were no passive recipients of lay patronage: '[The properties] have been wrung [*abstractae*] from men of modest fortune, sometimes by persuasion [*blanditiis*], sometimes by force [*vi*] or

¹⁹ Guibert, *Memoirs*, 1.18.

²⁰ Orderic, IV, 246-9.

²¹ Orderic, IV, 244-5.

purchase [*precio*] or extracted [*extortae*] in some other way.²² Spiritual weapons – such as curses, excommunication, and anathema – drawn from the monastic arsenal were often used against recalcitrant laymen. There is no way of telling how effective such admonitions were, but they must have carried some potency to make their use worthwhile.²³ Some charters use particularly graphic language to describe the actor's fears of hell, or recall the zeal with which a layman had undergone penitence, suggesting that such notions could be powerfully felt. One layman, restoring a mill usurped from Mont-Saint-Michel, prostrated himself naked at the altar to undergo physical chastisement at the hands of the monks in order to receive absolution.²⁴ Two donors made a grant 'desiring to escape the punishments of Hell and to taste the delights of Heaven', while Hugh de Brucourt, donating lands to Préaux, is 'faithful to God, [but] anxious for his soul and growing fearful of the penalties of Hell.'²⁵ In a series of three acts in the cartulary of Saint-Martin de Sées, William de *Claraio*, who also feared infernal punishment and 'dreaded to be accused before a severe judge', first made a donation, then quit land he had usurped, and finally entered the abbey as a monk.²⁶ Furthermore, monastic visits to extract concessions from the dying, in whose minds fears of the afterlife were undoubtedly intensified, emerge as standard practice from the charter roll of Saint-Evroul.²⁷

Donations and confirmations were regularly made by family groups attending the abbey for a relative's funeral and burial, and particularly by sons after their father's burial, suggesting the opportune application of monastic pressure. Robert de Bonnebosq was prevailed upon to restore a rent to Jumièges that his deceased father had extorted, by the almoner's threats against his father's soul: 'Robert, considering and understanding ... that he and his father would be damned if he continued to take the money which he and

²² Orderic, III, 210-1. I have adapted the translation.

²³ Tabuteau, *Transfers*, p. 207; Hudson, *Land*, pp. 167-71.

²⁴ Mont-Saint-Michel, 88.

²⁵ ...*penas inferni cupientes effugere et paradysi gaudia desiderantes habere post mortem corporis*: Mont-Saint-Michel, 34 (similarly, Mont-Saint-Michel, 19); *vir Deo devotus et anime sue curam gerens et gehenne penas expavescens*: Préaux, B20.

²⁶ ...*penasque infernales ex pravis suis operibus formidaret ... et inde apud districtum iudicem accusari metuebat...*: BES, Livre Blanc de Saint-Martin de Sées, f. 46r (from the first of William's acts); the three are at fos 46r-48r.

²⁷ BNF, ms. nouv. acq. lat. 2527, printed at Le Prévost, V, appendix VI (see, for example, IV). Modern anthropological studies have also found that religious beliefs increase dramatically in the aged: Goody, *Family*, p. 124.

his father presently had been wrongfully taking, returned and quitclaimed...'²⁸ The case of Wazo de Poissy also suggests canny monastic exploitation of the perceived connection between this world and the next, to the monks' own advantage. Wazo had for a long time molested the monks of Maule, but when his son was killed, the monks approached him and asked for reparations. 'He, shattered by his son's death, replied submissively and promised to make amends for the wrong he had done.'²⁹

Concerns of family were paramount in monastic patronage. It was the duty of family members left on earth to safeguard the grants made by deceased relatives and ancestors; while God's representatives on earth continued to enjoy the worldly grant, so the donor would continue to enjoy the spiritual rewards earned by his almsgiving. A charter of Duke William II, copied by Orderic, highlights the role of successors in maintaining grants: 'Since human life is brief, and all things pass away from generation to generation, we wish to confirm the acts of our own time with written evidence, so that none of our successors may presume to undo [*violare*] the things that we have lawfully done through our own right and the power given by God.'³⁰ Attempts to bind kin into patronage and secure the permanence and stability of the grant are seen in relatives' consent to transactions, the inclusion of the donor's kin in spiritual benefits, and even warnings and orders to relatives to respect endowment. According to monastic rhetoric, there were two paths open to successors, distilled into the images of the good heir and the bad heir. The model of the good heir is common in Norman acts of this period, emphasising the heir's fulfilment of his spiritual and moral duties towards his predecessor. A charter of Robert Curthose to Fécamp shows the duke in this image: he is the leader of the family, he safeguards both the abbey's property and his parents' souls, and seeks his younger brother's advice and support.³¹ The bad heir, who disrespects his predecessor's patronage by seizing or claiming donated lands, stands in

²⁸ *Videns predictus Rotbertus et intelligens, agente Herveo monacho tunc elemosinario, quia sibi dampnatio patrique fieret si denarios quos pater ejus et ipse postmodum injuste acceperat, ulterius acciperet ... reddidit et quietos clamavit:* Jumièges, 62.

²⁹ Orderic, III, 204-5.

³⁰ Orderic, III, 232-3; printed at *RRAN: William I*, 255. Clauses warning relatives and others to respect a grant and not bring claims are common: for instance, Le Tréport, 1. Such clauses appear as standard in many acts from Mont-Saint-Michel, and could be quite colourful in their language. For example, Mont-Saint-Michel, 79, offers the following: *si quis subtrahendo aliquatenus violare presumpserit a celesti patria seclusus et a sanctorum omnium collegio perpetim segregatus diabolo eiusque sociis commissus in perpetuis gehenne mittatur ignibus ubi per tempora crucietur.*

³¹ Roche, 'Héritiers', pp. 2-3. The charter is found at Haskins, *Institutions*, E4(a).

stark contrast. He is shown to be acting against the collective will and common good of the dynasty, and, as the adversary of the monks, his actions are characterised as *injuria*.³² A famous English charter, a unique record of views which must have been widespread, illuminates the idea of the bad heir. It directly links an heir's claim on earth with his predecessor's otherworldly fate:

if his heir tries to take away the alms which is interposed as a bridge between his father and paradise by which his father can cross, the heir is, as far as he is able, disinheriting his father from the kingdom of heaven, wherefore the heir will not by right obtain the inheritance which remains, since when he kills his father he proves himself no son.³³

The anxiety of religious houses and of donors about the long-term security of grants was underlain by the central dilemma of ecclesiastical patronage. This has been well expounded by Stephen White. A layman had duties to God, the saints and his own salvation to fulfil, by giving alms. But he had duties to his sons and daughters too, to leave sufficient of the family hereditage to support his line after his death. He also had duties to past kin. His ancestors had left him their land, and so he should use that land to aid their salvation, again to the detriment of his heirs. Monastic patronage represented a conflict between worldly and spiritual needs – the need to provide an inheritance, and the need to secure spiritual salvation for oneself and for one's ancestors. As White has shown, the discordant obligations to saint and to kin created a fundamentally irreconcilable conflict. Disputes were always likely to arise, particularly at the flashpoint of death, when the dying man's thoughts were of his heavenly inheritance, and his heirs' of their impending earthly inheritance.³⁴ A vignette from Henry of Huntingdon's *De contemptu mundi* exemplifies the competing demands of alms and inheritance:

After days given over to sorrow [Robert de Meulan] fell into an illness that heralded his death, and was asked by the archbishop and priests, when they were performing the cleansing office of confession, to restore in penitence the lands which – either by force or by guile – he had stolen from many people, and to wash away his sin with tears. In answer to them he said, “If I divide into many pieces the lands which I have brought together, what – miserable man that I am – shall I leave to my sons?” The Lord's ministers replied, “Your original inheritance and the lands which you have justly acquired will be sufficient for

³² Roche, 'Héritiers', p. 3.

³³ Stenton, *First Century*, appendix, 5; translation from Hudson, *Land*, p. 189.

³⁴ White, *Custom*, pp. 74-83; Hudson, *Land*, p. 192; Thorne, 'Estates', pp. 204-5.

your sons. Give back the rest. Otherwise you have cursed your soul to hell.” But the count replied, “I shall leave everything to my sons; let them act mercifully for the salvation of the dead.” But after his death his sons took more care to increase by injustice what had been unjustly built up, than to distribute anything for their father’s salvation.³⁵

Monastic patronage was therefore underlain by disharmonious ecclesiastical and lay views. There must also have been several lay perspectives on patronage, depending on life-stage and hereditary prospects. The young landholder or heir probably considered patronage as a temporary transfer of lands and rights in fulfilment of a specific need, while the landholder approaching the end of his life perhaps swung between the absolute and permanent interpretation propounded by the Church, and the more minimal, even begrudging, attitude held by his fellow laymen. Furthermore, as outlined in the previous chapter, perceptions of hereditary right were also flexible, based on the incompatible, but co-existent, traditions of partibility and impartibility of family lands. This contradiction may have surfaced over grants of acquired lands to monasteries, landholders viewing acquisitions as freely alienable while younger sons increasingly regarded such lands as their inheritance – giving them cause for complaint.

Although charters only attest the ecclesiastical perspective, these viewpoints must have been sufficiently flexible to allow compromise. From the Cluniac evidence, Barbara Rosenwein has argued that these overlapping claims and perceptions were recognised by all parties. She points to the involvement of kin in patronage as consenters, spiritual beneficiaries, and claimants as evidence for this mutual recognition, and suggests that the *werpitio*, or quitclaim, did not aim to prove outright ownership but ‘to adjust claims so that an equilibrium among [the parties], satisfactory to all, could be achieved.’³⁶ The

³⁵ HH, *DCM*, 598-601. Henry is wrong on at least one count here; Waleran de Meulan did return tithes that his father had unjustly held from Préaux (Préaux, A71), but he is correct in stating that that Robert extracted lands from the church: Robert claimed lands that his father had donated, and received them as a life-estate (Préaux, A111). Meanwhile, a vernacular literary source even ascribes an invasion of Francia to aristocratic impoverishment brought about by deathbed grants to the Church: cited in White, *Custom*, p. 77.

³⁶ Rosenwein, *Neighbor*, pp. 110-5 (quotation at p. 112). In a characteristically perceptive discussion, White, *Custom*, pp. 170-6, also focuses on the conflicting views of monks, donor, and kin, while W. C. Brown, *Unjust Seizure: Conflict, Interest and Authority in an Early Medieval Society* (Ithaca, 2001), particularly pp. 75-83, has also noted the clash of lay and ecclesiastical perspectives on patronage for the earlier period.

Norman evidence is not so strong, but it is likely that these general tenets still applied.³⁷ A clash of perspectives probably lay behind long-running cases. A good example illustrating divergent lay and ecclesiastical viewpoints, and also conflicting perceptions within the family, comes from the dispute over the tithe of Gauville. This tithe was the subject of certainly three, and probably four, claims spanning three generations in the late eleventh to early twelfth century. It had been in the family for many years, so the laymen probably regarded it as rightfully theirs, despite occasional attempts to reclaim it by the monks of Jumièges, to whom the tithe had initially been granted. Indeed, on his deathbed, one layman reconsidered his view and returned the land to the monastery, to the chagrin of his heirs.³⁸ Similarly discordant interpretations probably underlay the disputation of life-estates, when lands which had been held as life-estates from an abbey were reclaimed or seized after the death of the holder by his heirs. In such cases, there could be both competing lay and ecclesiastical views, the former using long-term familial tenure to argue their right, the latter maintaining the temporariness of lay tenure and the perpetuity of monastic possession, and divergent perspectives within the family, creating further splits.³⁹

³⁷ Although on the contradiction between the view of the duke and the view of the heir to the heir's claim to succeed, see Holt, 'Notions of patrimony', 211, which, as is discussed in S. D. White, 'The discourse of inheritance in twelfth-century France: alternative models of the fief in "Raoul de Cambrai"', in Garnett and Hudson, pp. 173-97, at pp. 194-5, shows that 'the legal culture of eleventh-century Normandy had room for two opposing models of the fief.'

³⁸ Jumièges, 51, 52, 53; for discussion of the Gauville dossier, see D. Bates, 'La "mutation documentaire" et le royaume anglo-normand', in M.-J. Gasse-Grandjean and B.-M. Tock, eds, *Les actes comme expression du pouvoir au haut moyen âge: actes de la table ronde de Nancy, 26-27 novembre 1999* (Turnhout, 2003), pp. 33-49, at pp. 37-44, and Roche, *Conflits*, pp. 75-7. See Jumièges, 61 for another long-running case.

³⁹ For instance, Mont-Saint-Michel, 18, *RRAN: William I*, 229, and probably Mont-Saint-Michel, 6. Although not (obviously) a quit or restoration of a claimed life-estate, an act of Troarn, BNF, ms. lat. 10086, fos 187v-188r, which describes the tenure of two brothers of the church of Trun which their father had originally sold to the abbey, also demonstrates the contrasting lay and monastic viewpoints. The brothers apparently retained tenure of the church from the abbey, probably in recognition of their long-term hereditary claim, but the document stresses the ultimate abbatial possession of the church, and the brothers' lack of claim from their father's possession. When one of the brothers subsequently requests that the church be returned to the abbey's lordship, he is shown as coming round to the monastic view, claiming that he wishes to return it to the abbey's demesne because he knows he no longer has any right in it, since his father had sold it. Practical considerations probably also played a role in his decision: the brother with whom he had held the church had recently departed on pilgrimage and perhaps holding it alone was proving burdensome; furthermore, he received a counter gift of 20 pounds, plus the repayment of a loaned 20 pounds. This complex transaction is discussed at Tabuteau, *Transfers*, pp. 76-7, who suggests that the brothers had claimed in the past, and the monastic action here was aimed at forestalling any further claims.

These diverse and interrelated views of landholding, family concerns and monastic patronage, though flexible, were nevertheless inherently conflicting. A balance was required; an emphasis on reasonable gift-giving therefore emerged. By the thirteenth century, one-third of land was deemed an appropriate proportion for a layman to alienate to the church.⁴⁰ It is unknown whether a formal, recognised limit existed earlier. Some twelfth-century Troarn acts speak of grants made *rationabiliter*, although in the context of lordly rather than familial consent and confirmation.⁴¹ There probably existed a general principle militating against the alienation of too great a proportion of family lands – for western France, White notes the unchallenged notion that the honour ought to pass intact from father to son, and the approval of acts taken jointly by kin and disapproval of individual deeds done for individual benefit – but the details were probably down to particular judgement.⁴²

The conventionality of conflict

These conflicting but fluid perceptions gave rise to recurrent familial strife over ecclesiastical patronage. Using the extensive evidence of the western French sources, White has argued that the possibilities for conflict were ‘virtually endless’: ‘attitudes towards property, kinship, and social obligation ... allowed for and even encouraged intergenerational strife between monastic benefactors and their kin ... and between different descendants of benefactors.’ He notes, however, that only ‘faint traces’ of these dynastic disputes remain in the charter sources.⁴³ For England, Thorne remarked on the fundamental problem of heirs succeeding to lands diminished by ecclesiastical patronage, since these grants were ‘impossible to deny’, and noted the difficulty of reconciling ‘two equally strong and conflicting claims’. In the Norman context, Roche has argued that heirs’ claims to lands alienated by predecessors were common, and also noted the focus upon the moment of death and succession.⁴⁴ I now move on to consider

⁴⁰ *Très Ancien Coutumier*, 1, 89; 2, 90.

⁴¹ BNF, ms. lat. 10086, fos 7v-8v, 120r-120v. This vocabulary is also found in *Glanvill*, p. 74.

⁴² S. D. White, ‘Inheritances and legal arguments in western France, 1050-1150’, *Traditio* 43 (1987), 55-103; White, *Custom*, pp. 148, 172. Tabuteau, *Transfers*, pp. 181-3, discussing limits imposed by lords on the amount of land tenants could alienate, dates the idea to the second half of the eleventh century, and argues that even by the end of the century no fixed proportion had emerged; see also Hudson, *Land*, pp. 182-3.

⁴³ White, *Custom*, pp. 201, 120; also, White, ‘Inheritances’.

⁴⁴ Thorne, ‘Estates’, pp. 204-5; Roche, *Conflicts*, pp. 158-62, p. 272. C. J. Johnson, ‘Kinship, disputing, and *ira*: a mother-daughter quarrel in southern France’, in B. S. Tuten and T. L. Billado, eds, *Feud, Violence*

Norman kin disputes over monastic patronage in practice, and argue similarly that such conflict was an established practice, a significant part of the transfer of property and landed power within family groups.

Three lines of argument suggest that family conflict over ecclesiastical granting was common. The first relies simply on the number of challenges recorded, and the greater numbers almost certainly unrecorded. As mentioned above, 68 cases of claims to or seizures of lands granted to a religious house by a family member have been included in the analysis. The kin challenges to patronage are dispersed in space and time, suggesting broad uniformity in occurrence. Ideally, it would be possible to work out the proportion of grants later challenged by relatives, but the sparsity of the record, in both quantity and quality, does not allow this. However, it is possible to tally the arguments made in lay *calumniae* as Roche has done, and he notes that cases based on a hereditary claim to the land in question are very common.⁴⁵

There are strong reasons to believe that further claims were brought, in addition to the known cases. As described above, the form of charter and cartulary in which a claim was preserved played a significant role in its shaping and in its survival, and familial *calumniae* probably had a low recording and survival rate. Furthermore, challenges may be hidden within documents that are, intentionally or incidentally, either sparing in their detail or give a distorted view in their depiction of events. The tenor of a reconciliatory document could be important in aiding the establishment and continuation of peace in the wake of a compromise or settlement, so documents may have been consciously shaped.⁴⁶ A significant proportion of acts recording quitclaims and restorations do not mention the basis of the claim, or name the original donor of the land. However, the majority of cases in which the claim's substance is known do relate to hereditary rights through the family, so it is probable that a considerable percentage of these more

and Practice. Essays in Medieval Studies in Honor of Stephen D. White (Farnham, 2010), pp. 259-78, and Brown, *Unjust Seizure*, both make similar arguments for different areas, while Leyser, 'German aristocracy', 48-50, also noted the propensity for kinsmen to dispute gifts to churches.

⁴⁵ Roche, *Conflicts*, pp. 194-5.

⁴⁶ *Ibid.*, pp. 130-51, 279-81. On the importance of 'micropolitical' factors in ensuring the success of an agreement, White, 'Inheritances'.

obscure claims were dynastic in nature.⁴⁷ Meanwhile, some instances mention that the claimant argued that the land was from his inheritance, but give no more information; without knowing the identity of the original donor, and his relationship to the claimant, it is impossible to verify but remains likely that such cases represent familial challenges.⁴⁸

A further probable source for hidden kin conflict is the confirmation of the new landholder, upon the death of his predecessor and his own succession. These appear frequently, and it is likely that at least some involved challenges.⁴⁹ Orderic's looser narrative depiction of monastic patronage demonstrates how the line between confirmation and claim was blurred. He discusses sons confirming and sons challenging the grants of predecessors without distinguishing between them. One instance describes a divinely-inspired confirmation after a momentous event, typical of the monastic narrative of claim and restitution, when Pain Odo initially refused to grant (*concedere noluit*) his father's donation, but was inspired by God to do so after capture in battle.⁵⁰ In contemporary minds, there was little to separate a refusal of consent or confirmation from a challenge: the one was tantamount to the other.

The varying incidence of familial claims in cartularies also suggests the potentially high level of such challenges. The cartularies of Mont-Saint-Michel and Préaux contain the highest proportion of dynastic claims out of the total number of acts. Accusations of local instability could explain the high rate in the former case, but not in the latter. On the other hand, some abbeys, according to their cartularies, suffered few, if any, challenges. While not denying the role of regional variation, it is hard to believe that the

⁴⁷ Occasionally, other acts can be used to join up the dots: an act from Montebourg cartulary records a restoration without mentioning the basis of the original claim, but another act records the same land earlier being granted by the claimant's father: BNF, ms. lat. 10087, acts 135, 134.

⁴⁸ For example, BNF, ms. lat. 10087, act 544; BNF, ms. nouv. acq. lat. 2527 (*calumpniam quam Girardus Trove*), printed at Le Prévost, V, appendix VI, IV; BNF, ms. lat. 18369, fos 48v-49r. Roche, *Conflicts*, pp. 194-5, notes three shades of grey in his discussion of claims based on arguments of heredity: an explicit reference to the claimant as the donor's relative; a reference to the claimant as the donor's *heres* or *consanguineus*; and a reference to heirship in the claimant's case. Circumspection is certainly required, as there are instances of claimants unrelated to the donors challenging patronage: see, for example, Mont-Saint-Michel, 19.

⁴⁹ For just a few examples, see BES, Livre Blanc de Saint-Martin de Sées, fos 78v, 87v (which directly links the layman's confirmation with his having been made heir); ADC, 1 J 14, fos 50v-50r; BNF, ms. lat. 17137, f. 220v.

⁵⁰ Orderic, III, 174-5; for other filial confirmations, Orderic, III, 126-7, 134-5, 166-7, 202-3, 232-3, 246-7, 250-1.

lay inhabitants of some localities displayed exemplary behaviour towards their monastic neighbours, while others claimed and usurped church land with complete abandonment; the charter and cartulary differences discussed earlier must explain the disparity, at least in part.

The second argument in support of the customariness of such conflict is its treatment by both narrative and charter sources. Claims to, and seizures of, ecclesiastical land which did not necessarily have a familial basis are treated as standard fare by narrative sources, tallying with assumptions of lay greed and rapacity.⁵¹ We might expect claims to kin land-grants to attract some comment, since such actions pitted relatives, living and dead, against one another, yet familial challenges rarely receive particular attention. Orderic devotes much of books five and six to the history of Saint-Evroul and its properties, and recounts all transactions together, rather than separating out challenges and conflicts for any particular treatment. The tone of his discussion is one of begrudging acceptance, pointing to the customary nature of such disputes. For instance, he narrates bluntly how Geoffrey, son of Baudry Rufus of Montfort, dropped his claims and conceded his father's grant after the gift of twenty more shillings.⁵² A broader example of such frank acceptance is found in Orderic's description of how Henry I's confirmation charter to Saint-Evroul of 1113

was made on the advice of prudent men as a protection against greedy heirs, who every year used to take back alms given by their relatives, and constantly dragged monks into lawsuits to the great diminution of the goods of churches. Therefore the king had this charter sealed with his seal, and by his authority forbade anyone to implead the monks of any of the properties he had confirmed by his royal charter anywhere except by an action in the king's court.⁵³

Orderic's narration of the disputed grant of Robert de Vitot also suggests that kin claims were to be expected:

Afterwards since this knight had almost forty kinsmen [*nepotes*], all proud of their knightly status, who were continually at war with one another, his inheritance has scarcely been undisputed for a day up to the present time. For Matthew and Richard his brother and Nigel and Rualon the Breton, Nigel's son-in-law, inherited at various times, and did many evil deeds and brought disasters in their train. Each one of them claimed this land from St Evroul; but the judgement of God,

⁵¹ See, for instance, comments at Orderic, III, 122-5, 204-5, V, 226-7, VI, 180-1; HH, *DCM*, 598-601.

⁵² Orderic, III, 190-1.

⁵³ Orderic, VI, 174-7; the charter, printed at Le Prévost, V, appendix VIII, and calendared at *RRAN II*, 1019, does not mention the first part, but does stipulate the second provision.

who gives mighty protection to his Church everywhere, was always at hand to force them to abandon their unjust claims. All these men tried with violent threats to despoil the Church of God of its possessions, Matthew in the reign of the great Duke William, Richard and the other claimants under Duke Robert and his brothers William Rufus and Henry; but they were never able to gain their unlawful ends, for the King of kings protected his servants.⁵⁴

The tone of other narrative sources confirms the ready recognition of familial challenges to monastic patronage. Even the presentation of familial claims by the charter evidence itself suggests the ordinariness of such disputes. The documents are usually quite brief, only giving the vital information and simply reporting the ceremony of quitclaim and restoration at the abbey, rather than narrating the formal or informal negotiations which must have preceded the settlement. Some records include preambles or remarks upon the morality of the act. For instance, the document recording a quitclaim by Peter de Maule is preceded by two Biblical quotations, one of which, ‘Do not remove the ancient landmark that your ancestors set up’, clearly suited the circumstances. But these do not occur often, and only tend to appear in acts produced by scriptoria (like Jumièges) with a predilection for preambles and commentaries.⁵⁵ This brevity and lack of detail is reflective of broader norms of charter-writing in eleventh- and early twelfth-century Normandy, which lay somewhere between the fixed language and phrases found in English charters of the same time, and the swathes of narrative in contemporary western French charters. It also shows, though, that familial claims and disputes were sufficiently frequent not to require a detailed and precise depiction of events, characters, and rationales. Where extra information is included, it often simply reinforces the impression that familial claims against patronage were routine. At the end of an act reporting the quitclaim of Ralph Lutrel, one monk commented ‘ironically’ (*yrönice*) to Ralph, with evident exasperation: “When the money is exhausted, you’ll bring your claim again, just as you always do!”⁵⁶

The third argument to suggest that familial disputing of ecclesiastical patronage was conventional is the expectation of conflict conveyed by the behaviour of both beneficiaries and donors. One clause in the *Consuetudines et Justicie* of 1091 or 1096

⁵⁴ Orderic, II, 120-3.

⁵⁵ Jumièges, 28; *Proverbs*, 22.28. This is Peter I de Maule, founder of the priory of Maule, as discussed by Orderic.

⁵⁶ *Cum manducati isti denarii fuerint, reclamato super prato, sicut solitus es facere*: Préaux, A84.

shows that land claims were widespread and detrimental enough to necessitate control: *Nulli licuit in Normannia pro calumnia terre domum vel molendinum ardere vel aliquam vastacionem facere vel predam capere*.⁵⁷ A number of measures were adopted to pre-empt disgruntled relatives of donors bringing claims, and thus to prevent the eruption of conflict. The principle of consent was intended to safeguard the grant and preclude future challenges; the most desirable consenters were therefore those who had the strongest claim to the alienated land. Family members are recorded as participating in around two-fifths of transactions, whether via consent, co-actorship or confirmation.⁵⁸ This is nearly double the rate of recorded seigneurial participation, and is largely consistent across abbeys, suggesting widespread beneficiary anticipation of claims from the donor's kin. Wives and children (nearly always sons) appear most frequently, followed by siblings; parents (nearly always mothers), nephews, grandsons, and other relatives appear rarely. Spiritual weaponry was also employed, both as inducement (in the offer of otherworldly rewards) and as threat (through curses and anathema) to coerce kin acquiescence, revealing an anticipation of dissent. Just over a third of acts from three houses record spiritual rewards for the donor's kin. Familial participation and receipt of spiritual concessions often coincide, and over three-quarters of those transactions made with the consent of family members also recorded spiritual rewards to family members, reflecting the basis of patronage in the exchange of worldly goods for spiritual benefits.⁵⁹

Sometimes the granting of consent was rewarded with a countergift, in an attempt to buttress the grant and forestall disputes. Orderic reports that the monks made countergifts to donors and their relatives 'to satisfy all possible claims.'⁶⁰ This might extend to significant monastic support for the kin of donors; some acts show the formulation of specific agreements to compensate family members for the loss of inheritance and pre-empt claims. When Odelinus, a cobbler, made a post-obit grant of all of his land to the abbey of Saint-Etienne, Caen, provision was laid down for his son

⁵⁷ *Consuetudines*, 6.

⁵⁸ These figures are drawn from an analysis of the published acta of La Trinité du Mont, Préaux, Jumièges, and Mont-Saint-Michel, as presented in a paper entitled, 'Consent to grants of land in Normandy', at the International Medieval Congress, University of Leeds, July 2011.

⁵⁹ These figures are drawn from a survey of the published acta of La Trinité du Mont, Jumièges, and Saint-Wandrille. White, *Custom*, pp. 120-4, on the coincidence between the consenting group and the recipients of spiritual rewards.

⁶⁰ Orderic, III, 190-1.

and heir in the form of food and materials for his cobbler's craft, presumably in recompense for the loss of his patrimony.⁶¹ Similarly, when Robert and his wife donated a house in Falaise to Sées abbey, their son Richard (who was left with only a third of the house) agreed with the monks to rent the entire house from them.⁶² Similar concerns may underlie another arrangement, in which two brothers continued to hold the church of Trun and its land from Troarn abbey, after their father had sold it to the monks. Although there are no details, it may be that the brothers came to this arrangement with the monks in order not to lose their rights at Trun entirely, while the monks agreed in order to forestall a dispute.⁶³

Grants which were seen as particularly vulnerable, perhaps due to the identity of the donor, the value of the land, or the conditions of the locality, might be reinforced by the performance and recording of unusual acts, such as children receiving blows, to ensure the transactions were retained in individual and collective memory.⁶⁴ There are other, rarely documented but probably quite common, strategies to pre-empt conflict too. A record of a grant to Mortemer set out the convoluted history of the alienated land, presumably to forestall or to provide ammunition against any future claim.⁶⁵ The monks of Sées had a donor swear that there were no outstanding claims on the land he was granting; other acts record contingency arrangements in the case of a successful challenge by a relative, with the responsibility for the provision of alternative lands falling to the donor.⁶⁶

Sometimes, there are insights into the familial negotiations and settlements that must have accompanied ecclesiastical endowments by lay dynastic groups. It is unsurprising that these concerns rarely appear in the acts; as such complaints were generally settled

⁶¹ ADC, 1 J 14, f. 58r.

⁶² BES, Livre Blanc de Saint-Martin de Sées, fos 98r-v; discussed at Tabuteau, *Transfers*, p. 71.

⁶³ BNF, ms. lat. 10086, fos 187v-188r. The monastic aim to prevent a dispute is also seen in the present document, which strongly emphasises the brothers' lack of claim and the full monastic possession. See above, n. 39, and Tabuteau, *Transfers*, pp. 76-7.

⁶⁴ Préaux, A1.2, A4, for blows (at the former, the explanation of memorability is offered to the unimpressed boy who had received the strongest blow); Préaux, A27, for the swearing of warranty; and Préaux, A94, in which the donors place a candelabrum on the altar (sticks or knives were more common).

⁶⁵ ADE, H 592, f. 1v (*Robertus de ponte*).

⁶⁶ *De inde iurans atque contestans nullam in ea esse calumnia firmiter promisit*: BES, Livre Blanc de Saint-Martin de Sées, f. 91r. BES, Livre Blanc de Saint-Martin de Sées, fos 50r-50v (on this, Tabuteau, *Transfers*, pp. 191-2); ADE, H 592, f. 1r (*Willelmus le per*).

within the family group before the ceremony, they did not often reach the stage at which a written record was produced.⁶⁷ The cases of the cobbler Odelinus, and the husband and wife who granted a town house to Sées, mentioned above, may have been settled with their respective sons while the donors were still alive. An act of Troarn records that the donor, Herbert, had paid off the claims of his sister and her son in order to donate the land.⁶⁸ Occasionally countergifts directly from the donor to his relative indicate a prior internal settlement. For instance, Roger Abbadon granted his son six marks of silver for his consent and promise to protect his grant.⁶⁹ In an unusual document, preserved in the charter roll of Saint-Evroul, the donor directly informs a potential claimant of his grant, and warns him against bringing a challenge. Although it is not known if donor and claimant are related, this provides insight into the communication and agreement that would have been needed between lay parties, independent of the church, to allow the transaction to take place.⁷⁰ A final example of the donor's expectation of opposition to his grant comes from a dispute within the family of John, bishop of Avranches (1060-67). John made his donation *through* Duke William – granting the duke the land, then having him grant it to the church – in order to avoid claims from his kinsmen; even this, however, failed when his nephew challenged the grant at the donation ceremony.⁷¹

The focus of conflict on land

The focus of disputed monastic patronage was on the possession of, and succession to, land. This may seem obvious, but it is worth demonstrating in full by a survey of the evidence, and relating to the context of Norman aristocratic and knightly landholding

⁶⁷ Indeed, the failure to do so could lead to the interruption of the donation ceremony by a recalcitrant relative making a claim, as happened with grants by the bishop of Avranches (n. 71), and by Ralph at Saint-Etienne: ADC, 1 J 14, fos 31v-32r.

⁶⁸ [terra] quam etiam a sorore mea Matilda et filio eius Ricardo dato non parvo precio redemi: RRAN: William I, 284.

⁶⁹ Préaux, B1.

⁷⁰ Ricardus filius Torolfi Rodberto decano. Volo ut scias quod ego concessi hoc quod habeo in ecclesia sancti Petri Danblainville sancto Ebrulfo et meis fratribus, et si tu aliquid calumniaveris, rectum tibi inde consenciam: BNF, ms. nouv. acq. lat., 2527 (Ricardus filius Torolfi); printed at Le Prévost, V, appendix VI, XXXVI. Given the recipient is named *decanus*, he may have been dean of the church to which the grant related.

⁷¹ RADN, 229; see Holt, 'Notions of patrimony', 208, Roche, *Conflicts*, p. 70, and R. Allen, "'A proud and headstrong man': John of Ivry, bishop of Avranches and archbishop of Rouen, 1060-70", *HR* 83 (2010), 189-227, at 199-200, who finds that at least some of the land did end up in the hands of the nephew, and his brother-in-law.

and inheritance.⁷² The clearest evidence comes from land disputes which arose on the death of a landholder and the subsequent succession. Challenges to monastic patronage show the importance of this flashpoint to claims, and the role of fluid inheritance and landholding custom in facilitating dynastic wrangles.

Most challenges were made after the death of the donor, and therefore after succession by his heir(s). Sometimes it can be established that the donor is dead by a reference in the act or by a comparison of the death date of the donor with the date of the claim if both are known.⁷³ It is extremely likely, although not certain, that the original grantor is dead in other cases as well, because of factors such as the non-appearance of the donor, the claimant's position, spiritual concessions, and the role of other family members. Narrative evidence reinforces this. Orderic's description of the afterlife of Robert de Vitot's donation to Saint-Evroul (quoted above, pp. 180-1) links succession with the bringing of claims: he states that the four named claimants 'inherited at various times' before recounting their challenges; the time lag between each is further suggested by the claims' placement under different dukes.⁷⁴ Guibert de Nogent's lament on filial disrespect for parental grants, with which I opened the chapter, locates the grants in the past and the challenges in the present, similarly implying a time lag that allows for the deaths of the donors and the successions of the sons.⁷⁵

The necessary reconfiguration within a dynastic group after the demise of the family head was a source of tension; that this was not always achieved with one mind is attested by the appearance of other relatives in dynastic claims made to ecclesiastical lands at this time. The presence of other family members was, of course, often to forestall further claims; for instance, Helias Boterat was joined by his two eldest sons in quitclaiming properties donated by his father, while Ralph was accompanied by his two younger brothers when he restored rights to Saint-Evroul.⁷⁶ However, familial involvement also suggests the exertion of pressure on claiming relatives behind the

⁷² Recent historiographical trends have emphasised the symbolic importance of dynastic challenges and restorations at the expense of more practical, land-based, concerns. See Livingstone, *Family Life*, particularly chapter eight.

⁷³ 27/68, donor is definitely dead.

⁷⁴ Orderic, II, 120-3.

⁷⁵ Guibert, *Memoirs*, 1.11.

⁷⁶ Mont-Saint-Michel, 114; Orderic, III, 210-11. That the brothers were younger is suggested by the disparity in counter gifts: Ralph received 110 *solidi*, Simon, five *solidi*, and Robert, a pair of leather shoes.

scenes. Florence de Grainville finally prevailed on his brother Walter to concede and drop all claims to grants made by Florence and by their nephew Richard; the records of both grants had repeatedly stated Florence's intention to secure Walter's consent.⁷⁷

Another Richard restored land to Mont-Saint-Michel, in part for his father's absolution, on the advice (*consilio*) of his uncle.⁷⁸ William dropped his claim to land which he and his brother had granted to Préaux when he was 'obstructed by his relatives who knew he had sold [the land] and that he was claiming wickedly.'⁷⁹

Claims cluster around the succession of new lords, showing that disputing predecessors' patronage was often part of the broader hereditary shift from one generation to another, or from one lord to another.⁸⁰ Fourteen claims or seizures can be placed for certain in the immediate aftermath of the claimant's succession; documentary brevity probably hides further cases. For instance, William, son of Rivallon, dropped his claim eleven days after his father's death, while Ralph Avenel restored on the day of his father's burial at Mont-Saint-Michel lands he had seized from his father's donation.⁸¹ As the lord took stock of his new lands, wealth, and position, his attention must have turned to lands and rights which had traditionally been part of the patrimony, but were now under ecclesiastical control, having been transferred out of the hereditary demesne by his predecessor. Land or income lost through a recent donation would have been particularly fresh in the mind, especially if it had been made on the deathbed, perhaps under the influence of deteriorating faculties and significant ecclesiastical pressure.⁸² One charter sets out the correspondence between succession, inquiry and claim, interestingly blaming the household, perhaps to save face for the lord: 'But when my father of good memory passed away and I appeared as heir, our household began to disturb the property of Saint Peter that my father had handed over as a gift to God and

⁷⁷ BNF, ms. lat. 18369, fos 30v-31r (two acts).

⁷⁸ Mont-Saint-Michel, 88.

⁷⁹ *Interpellatus autem post hec iste Willelmus a parentibus suis qui eum noverant ista vendidisse et male hec calumniari*: Préaux, A113.

⁸⁰ Roche, *Conflicts*, pp. 158-63, 272, also highlights that a claim permitted an heir or new lord to forge links with an abbey on his own terms, negotiating a compromise and establishing relations with houses which were often major regional landholders and a force in local society. Indeed, the practice of new lords coming to abbeys to confirm the acts of predecessors suggests in part the importance of instigating this association. Johnson, 'Mother-daughter quarrel', pp. 276-8, has also noted the strong correlation between death and succession and kin disputing of patronage.

⁸¹ Mont-Saint-Michel, 18; Mont-Saint-Michel, 76.

⁸² Indeed, *Glanvill*, p. 70, stated that deathbed gifts *had* to be confirmed by the heir, 'because there might be an extravagant distribution of the inheritance if it were permitted to one who loses both memory and reason in the turmoil of his present suffering.'

the saints.’⁸³ Suggesting the importance of an elevation in rank in prompting claims, another case sees a challenge made when the claimant became a knight; one of his concerns may well have been to secure the landed resources that his newly-acquired status demanded.⁸⁴

The identity of claimants also suggests the significance of familial restructuring in the wake of an internal shift of power. Claims come from the narrow family, corresponding to the inheriting core: all cases bar two involve claims to lands donated by close relatives (parents, siblings, spouses, and uncles / aunts).⁸⁵ Most challenges (50) are brought by members of the junior generation against alienations by the senior generation, and there is a clear bias towards paternal grants: over half of these claimants are challenging the patronage of their father (31), father-in-law (three), or stepfather (one). One claim concerns land granted by the suitor’s grandfather, one by his grandmother, and two simply name ‘ancestors’ as the original donors.⁸⁶ A further eleven claims focus on grants made by challengers’ uncles, aunts, and even a nephew. In some of these cases the suitors were probably the donor’s heirs, or staking a claim to be considered as such, given that succession by nephews was not uncommon.

Inheritance might pass to brothers on the death of a childless landholder, so challenges of younger brothers to the patronage of deceased elder brothers can also be viewed in the context of succession. For instance, when Gilbert died, probably childless (no wife or sons are attested) and probably young (he died from injuries sustained in combat), his two brothers took the land he had granted on his deathbed to Jumièges, and only restored it under compulsion from the lord.⁸⁷ It is not clear whether the family lands had been concentrated solely in Gilbert’s hands, his death therefore freeing up the entire patrimony, or the lands had been shared between the brothers, enabling the brothers to

⁸³ *At vero pie memorie genitor meus cum vita excessisset ac ejus existerem heres, coeperunt domestici nostri inquietare rem sancti Petri quam pater meus dono Deo ac sanctis tradiderat:* Jumièges, 28.

⁸⁴ Orderic, III, 186-9.

⁸⁵ In the two exceptional cases, the exact link between claimant and donor is unknown: William Bertran seized items donated by Robert Bertran, probably his brother or cousin: BNF, ms. lat. 5650, fos 39v-40r, printed at *Charters and Custumals*, cartulary documents, 15; Garin and Odo claimed the tithe given by Richard, their *cognatus*, BNF, ms. nouv. acq. lat. 2527 (*Warinus et Odo*), printed at Le Prévost, V, appendix VI, XXXIX.

⁸⁶ Sometimes the donors are said to have been the actor’s father and mother, or father and ancestors; in these cases, I have taken the first named donor as the principal donor.

⁸⁷ Jumièges, 53. For other examples, Jumièges, 52; Jumièges, 61; and perhaps Préaux, 102, and BES, Livre Blanc de Saint-Martin de Sées, fos 46v-47r.

add Gilbert's holdings to their own. A further example of a claim following a fraternal succession comes from the abbey of Préaux. On the death of Thomas, in Jerusalem, his (probably younger) brother William challenged a grant which he and Thomas had made to the abbey. The fact that the claim was made only after news of Thomas' death had arrived, even though Thomas must have been away for some time to have reached Jerusalem, suggests that the challenge was coupled with William's succession to his brother's lands. William was probably left as sole landholder – the only other known brother had entered the abbey – so any previously shared fraternal interest in the lands was now lost.⁸⁸ A further case concerns the widow of Robert Bordet, who claimed land which had been her dower but which her late husband had granted to Préaux. This also shows the importance of landed concerns in promoting a claim on the landholder's death, and the claimant's success in regaining the land in this instance suggests some recognition of her firm right to the land.⁸⁹

In summary, because the suitor's claim was contingent on the death of his predecessor and his own succession, or his own claim to succession, disputed patronage was strongly linked to the process of succession, not only across but also within generations. Other cases give evidence of the more general role of fluid and varied inheritance custom in facilitating challenges. Such instances often involved conflict between a living donor and kin claimant, and were challenges made against lands recently granted, rather than arising during succession in the aftermath of a death. For instance, the donation of one Ralph to the abbey of Saint-Etienne, Caen, was interrupted by the challenge of his brother, also named Ralph; the abbot arranged a hearing for the second Ralph.⁹⁰ The nephew of Bishop John of Avranches brought his claim to the ducal court at the very moment the charter of John's donation was being drawn up (the witnesses were still to subscribe), while it is implied in a charter of Mont-Saint-Michel that a claim was made very soon after the ceremony, by the brother of the two donors.⁹¹ Evidence of these more immediate disputes is, unfortunately, limited, but of course any claims that succeeded were unlikely to be documented.

⁸⁸ Préaux, A113; original grant at Préaux, A15.

⁸⁹ Préaux, B90; see chapter four, n. 24.

⁹⁰ ADC, 1 J 14, fos 31v-32r.

⁹¹ RADN, 229; Mont-Saint-Michel, 24. See also BNF, ms. lat. 18369, fos 30v-31r (containing quitclaims to two donations), and Préaux, A84.

Partible inheritance and landholding within family groups encouraged the disputing of siblings' patronage. Brothers who had lost out from a monastic grant, or whose claim had been ignored, had cause for complaint, and subsequent challenges carried some legitimacy. Any available details about the history of the disputed land can help in reconstructing the basis of a claim. Ralph claimed land which his brother Robert had granted to Préaux, and which was from the shared paternal inheritance. There could be several factors in the success of a challenge, not least of which was the nuisance factor to the monks, but the fact that Ralph's claim here was successful may indicate that he had some recognisable right, rooted in the tradition of partibility.⁹² The claim of Ralph Lutrel to lands granted by his sisters to Préaux (discussed in chapter four) was similarly related to divisible inheritance, as the lands had been settled on Ralph and his two sisters by their father Osulf. The land is described in the document recording Ralph's quitclaim as having come to the sisters by the division of their father's inheritance, and this is confirmed by a record of Osulf's arrangements.⁹³ This was not the principal inheritance, but was probably an attempt by Osulf to provide something for his daughters and younger son, perhaps from acquired lands. The fact that he had done so highlights the value still attached to some form of division, though paradoxically it was Osulf's grant in the first place which had given Ralph an interest in his sisters' land and therefore enabled him to dispute their transaction.

The potential for sibling conflict rooted in the clash between partible and impartible values is clear. The rationale underlying partibility was to ensure some measure of hereditary equality, so a brother could perceive his exclusion from a grant as a denial of his rightful inheritance. A joint donation by two brothers, Ansger and Hervey, to Mont-Saint-Michel demonstrates this. William, the (probably) younger brother of Ansger and Hervey challenged the grant, but he was apparently seeking parity with his brothers rather than to win back what had been granted, as seen by his compensation: 'and because our brother William made a claim regarding this [grant], we give him every faith that we will make him sharer [*conparticipem*] in the rest of our father's properties.'⁹⁴ The claims of Ralph 'Dog-eye' against the same abbey were probably

⁹² *Robertus Tarde fuit natus habens divisa hereditate patris sui...*: Préaux, A102. White, *Custom*, pp. 61-2.

⁹³ *Sorores ... partem prati et terre que sibi acciderunt, partita hereditate patris, vendiderunt...*: Préaux, A84; Préaux, A27. See chapter four, pp. 130-1, 138.

⁹⁴ *Et quia Guillelmus frater noster clamorem fecit in ista causa, donamus omnem fidutiam quia comparticipem eum fecerimus de ceteris bonis patris nostri*: Mont-Saint-Michel, 24.

rooted in similar concerns, and facilitated by the convention of partible inheritance. Ralph seized the grants of his brother Walter, before being forced to return the items. Ralph's non-appearance in the original grants (itself probably a source of resentment) suggests that he was the youngest brother.⁹⁵ The annexation by (another) Hervey of a tithe that his brother had granted, although condemned by the scribe, is explained in the document by the fact that it also pertained to his patrimony.⁹⁶ Similarly, William challenged the abbey of Saint-Etienne over its possession of land which his brother Herbert had granted, but which was part of William's allod. Allodial land was heritable, so the convention of fraternal division of the land may have been the basis of this claim too, which was indeed successful for William.⁹⁷

Other customs underlay other claims. Pre-mortem grants, particularly of acquired lands, probably formed the basis of a number of claims by younger against elder brothers, particularly as younger sons started to see acquired lands as their right. One charter states that the granted land had been acquired (and was thus freely alienable) by the donor in order to forestall claims from his relatives: Robert granted land 'in which his brother Geoffrey had no share, because Robert bought the land with his own wealth from Geoffrey son of Amicus.'⁹⁸ The fact that it was felt necessary to state Geoffrey's lack of interest in the land suggests that the right of full ownership attached to acquired land was not always respected; it is easy to imagine that acquired land, intended for a younger son, might be claimed as part of the family holdings by an elder brother and then end up in the monastic demesne.⁹⁹ Other grants within the family could prove a source of difficulty. A layman claimed that his father had granted him a portion of land before granting it to Saint-Evroul, while the nephew who interrupted the donation of

⁹⁵ Mont-Saint-Michel, 102, Mont-Saint-Michel, 103; original grants at Mont-Saint-Michel, 34. There is a further quitclaim by Ralph at Mont-Saint-Michel, 105. Details on the subject of this act are not forthcoming, but the presence of Ralph's nephew suggests it was also a family-based claim, probably relating to one of his brothers.

⁹⁶ *Herveus vero frater suus qui ei ad patrimonium suum heres surrexit decimam illam monachis abstulit*: Mont-Saint-Michel, 20.

⁹⁷ ADC, 1 J 14, f. 42v. Either the abbot or Herbert (the grammar is unclear) had previously proved the abbey's right to the land against William, but in the act recorded here, the abbot grants the land to William as a gift, in return for William's quitting of all other claims he had made against Saint-Etienne.

⁹⁸ *...in quo suus frater Gaufridus nullam partem habebat, quia ipse Robertus emit terram illam de suo proprio censu Gaufrido filio Amici...*: L. Musset, 'Peuplement en bourgage et bourgs ruraux en Normandie du X^e au XIII^e siècle', *Cahiers de civilisation médiévale* 9 (1966), 177-208, at annexe 1, 206; discussed at Tabuteau, *Transfers*, pp. 177-8.

⁹⁹ See chapter four, n. 111.

Bishop John of Avranches, as quill was put to parchment, claimed that he had already received the land from his uncle as a hereditary gift.¹⁰⁰

The role of individual interest

Challenges to patronage from within the kin-group therefore reveal a range of situations and claims, often focused on the moment of succession, but all underpinned by the fluid hereditary framework, comprising the central incompatibility of partible and impartible traditions, and the availability of other norms to which to appeal. This context increased the likelihood of conflict over the alienation of lands within the inheriting and landholding core of family. To fill out the picture further, I now consider the motivation behind challenges, in order to assess the relative importance of familial and individual concerns.

According to contemporary ecclesiastical perceptions, a claimant was acting selfishly in bringing a challenge against the monastic patronage of a predecessor or living relative, as he was counteracting the donor's altruistic deed by casting into doubt his kin's receipt of its spiritual rewards. Such an interpretation fits with monastic assumptions of lay greed and acquisitiveness: 'For greedy possessors of temporal goods fix their mind on transitory things, paying scant heed to those that are best and eternal; and many attempt little or nothing for hope of heaven unless they see that it will benefit them on earth.'¹⁰¹ Although these views and their routine expression should be taken with a good pinch of salt, given their monastic origins, I argue here that familial disputing of ecclesiastical patronage was motivated by individual interest which could take a number of forms, but was often based on worldly status and survival. The very argument that disputes were rooted in conflicting perspectives on patronage, and in the counter interests of different generations or life-stages (seen in the alms-inheritance dilemma), assumes motivation on an individual basis. Of course, there are different aspects to such interests, and the picture is certainly more complex than the image conjured up by monastic rhetoric, of the grasping layman indiscriminately seizing land for his own immediate benefit. Land might be taken and alienated to another foundation, for instance, or acts might be motivated by concerns for salvation in the next life. Yet the

¹⁰⁰ Orderic, III, 186-9; *RADN*, 229.

¹⁰¹ Orderic, III, 122-5. This is also a major theme of Henry of Huntingdon's *De contemptu mundi*.

fundamental case remains: if patronage was for the good of the kin group, then its reversal (threatened or actual) was for the good of the individual.

Unfortunately, the lay argument was always likely to go undocumented: if the abbey regained the land, there was little need to report the spurious lay arguments; if it lost the land, then there was little need to create a record. Even in the five recorded cases in which the lay claimant won the land (usually on a temporary basis, or in exchange for other land), only three state the case brought by the lay party.¹⁰² Despite having a claim of some validity, the lay adversary might still be cast in a negative light: a widow who succeeded in reclaiming her dower-lands was induced to do so 'by worldly wickedness.'¹⁰³ Bearing in mind that outcome does not necessarily reflect initial purpose, I focus here on how evidence relating to the timing, economic, and spiritual compensation of claims and quitclaims suggests the greater influence of individual interest over familial concerns.

I have already shown that the bringing of claims on the death of the donor and the claimant's own succession (or claim to succeed) was a recognised practice, bound up with the dynastic and seigneurial transfer of power. The timing of a claim and of its surrender argues for pragmatic opportunism in other ways too. The physical or symbolic departure of the donor could provoke or at least facilitate claims. Hervey challenged his brother's grant on or after the latter's departure for the East.¹⁰⁴ Three brothers usurped the earlier grant of their father when he assumed the habit, and William de *Claraio* did the same at Sées on his brother's monastic conversion, the individuals here taking advantage of worldly, rather than corporeal, death.¹⁰⁵ Changes within the abbey might also provide an opportunity for a claim or seizure. Walter began molesting the monks of Préaux after both his father and the abbey's almoner had died. Robert took back land which had been granted by his father for his brother's entrance to Préaux when the same boy ran away from the abbey.¹⁰⁶ The underlying clash of views in this case is clear. From the lay perspective, the grant was tied to a specific situation, the boy's presence at the monastery, so it became void when that situation changed. In ecclesiastical eyes,

¹⁰² Préaux, A4; Préaux, B90; ADC, 1 J 14, f. 42v. Préaux, A102; Préaux, A111.

¹⁰³ *...sed seculi malitia uxor illius Roberti ... predictam terram reclamavit*: Préaux, B90.

¹⁰⁴ Mont-Saint-Michel, 20.

¹⁰⁵ Orderic, III, 210-1; BES, Livre Blanc de Saint-Martin de Sées, fos 46v-47r.

¹⁰⁶ Préaux, A150; Préaux, A80.

however, the gift was made in perpetuity; the circumstances ceased to be relevant as soon as the transfer took place.

There is also evidence that pragmatic interests were the principal motivation in quitclaims and restorations. Returns are often said to have been effected by divine inspiration, particularly when the land had been claimed or held apparently ‘unjustly’ for a long time. As Roche has shown, this is part of the monastic rhetoric of the documents, demonstrating a divine causality between the wicked act of the claim or usurpation, a subsequent punishment from God (in the form of an illness, injury, or other misfortune), and a return to the senses culminating in reconciliation with the wronged monks.¹⁰⁷ The very existence of such narrative patterns, while undoubtedly coloured by the interests of the drafters, suggests the power of momentous events, particularly the approach of death, in encouraging and inducing the repudiation of claims and the return of land. This held just as well for those who had seized land donated by a family member as for those who had repudiated their own grants. Ansold de Maule was prompted by the omen of a comet to quit his claim concerning donations made by his father.¹⁰⁸ Gilbert restored on his deathbed a tithe which he and his father had unjustly seized from Jumièges, his uncle and previously his grandfather having originally donated it, and was said to ‘fear eternal damnation for the violence done to our properties by his father.’¹⁰⁹ William de *Claraio* who, as just mentioned, seized his brother’s land-grant, restored it to the monks of Sées on his deathbed, and indeed, this is the second of three acts by which the dying William made reparations to the abbey for his various ‘crooked deeds.’¹¹⁰ Certainly, the needs and beliefs which underlay this pragmatism should not be underestimated, but the shrewd lay behaviour, evident in the timing of the bringing and the quitting of a claim, bears out the power of individual interest, whether directed towards fortunes in this world or in the next.

Disputing monastic patronage could be lucrative: according to Tabuteau, it was as conventional for a quitclaimant to receive a countergift as for a donor.¹¹¹ In the majority of the cases considered here, the claimant was granted a countergift, and in a further

¹⁰⁷ Roche, *Conflicts*, pp. 279-83.

¹⁰⁸ Orderic, III, 182-3.

¹⁰⁹ ...*eternam damnationem timens pro violentia rerum nostrarum a patre suo facta...*: Jumièges, 53.

¹¹⁰ *pravis suis operibus*: BES, Livre Blanc de Saint-Martin de Sées, fos 46r, 46v-47r for the quitclaim.

¹¹¹ Tabuteau, *Transfers*, pp. 29-30.

five cases, there was no need for a countergift because the claimant succeeded in reclaiming at least part of the disputed property.¹¹² Counter gifts could be large. The greatest by far was of 300 pounds, made to Simon, count of Amiens-Valois-Vexin by the archbishop of Rouen in a high-profile ceremony.¹¹³ The recipients of other larger counter gifts are less well known. Ilbert received 40 pounds and a horse worth ten pounds, Baldwin Blondel the same amount to pay for a pilgrimage to Jerusalem, and Hervey collected 25 pounds and a horse from the abbot of Jumièges.¹¹⁴ It may be that a larger counter gift was a recognition of a better claim. Ilbert's probably had a strong basis in his stepfather's use (and perhaps abuse) of his mother's lands which had now passed to him; two other relatively large counter gifts (one of ten pounds, the other of ten pounds plus the service of five men) were granted to claimants whose challenges also apparently rested on compelling arguments.¹¹⁵ There were other determining factors in the size of a counter gift: the status of the claimant (suggested by the vast compensation to Count Simon), the wealth of the religious house, the value of the claimed land, and the nuisance factor of the claim, which might be accompanied by acts of violence or harassment against the abbey, its lands and its men.¹¹⁶ Furthermore, the granting of a counter gift aided the social effectiveness of agreements, mitigating the loss of land by recognising the legitimacy of the lay claim and by offering some compensation, and thus achieving some balance between the parties.

Most counter gifts comprised smaller amounts – a pound or two, a horse or a palfrey, or other material goods, but these contributions may have been of significant value to the claimants.¹¹⁷ Apart from a few members of the upper aristocracy, the lay challengers in

¹¹² 37/62. The total number has been revised down here, because six cases do not record a restoration.

¹¹³ *RRAN: William I*, 229. Allen, 'John of Ivry', 211, suggests that this sum indicates Simon needed strong persuasion. D. Bates, 'Lord Sudeley's ancestors: the family of the counts of Amiens, Valois and the Vexin in France and England during the eleventh century', in *The Sudeleys – Lords of Toddington* (London, 1987), pp. 34-48, at p. 43, for discussion of the original grant of the life-lease.

¹¹⁴ *RRAN: William I*, 173; Mont-Saint-Michel, 86; Jumièges, 46. The value of a horse is difficult to pin down, varying over time and according to the type of beast. Orderic, III, 186-7, 190-1, mentions horses worth respectively five pounds and three pounds; there are references in pre-1066 Normandy to horses worth between 14 shillings and 30 pounds. R. H. C. Davis, *The Medieval Warhorse: Origin, Development and Redevelopment* (London, 1989), p. 57, and p. 82 for a summary of equine prices in the second half of the twelfth century.

¹¹⁵ *RRAN: William I*, 173; Mont-Saint-Michel, 107: the land, granted by the claimant's father-in-law, was of his wife's inheritance, and the grant had not been made lawfully (*non fuit facta legitime*); *RADN*, 229: the land had been a hereditary gift from the donor to the claimant.

¹¹⁶ See White, *Custom*, pp. 61-2.

¹¹⁷ For a comparison of counter gift values for quitclaims of western France, *ibid.*, p. 52.

these cases are mostly obscure. Toponyms, nicknames and surnames suggest that most were drawn from the knightly classes and below, and were often local to the abbey. The value of an offering such as a horse is clear, and a countergift of even a few *solidi* might be of considerable worth to its recipient. Some claimants may have been in straitened circumstances. Ralph Lutrel is said to be *constrictus inedia*, while the abbot of Mont-Saint-Michel took pity on the poverty of a set of brothers, *videns inopiam illorum misertus*, and struck a deal with them. Both Ralph and the brothers received countergifts of foodstuffs, confirming these hints of hardship, and indicating the (literally) vital role that countergifts may have played.¹¹⁸

If countergifts were regularly given in recompense for the settlement of a claim, and could be of great absolute or relative worth to the individual, then the monetary and material rewards on offer would be a strong incentive to challenge ecclesiastical holdings, and lands granted by family members were probably a viable target. This is certainly conveyed by the monk's words to the troublesome Ralph Lutrel, declaring his expectation of Ralph's reappearance once the money had been used.¹¹⁹ The details in the act support the monk's pessimism. Ralph had apparently often brought his claim, only renouncing it once he had extracted some reward.¹²⁰ The sense of inevitability surrounding Ralph's claims is conveyed by the statement that, just as he had often brought challenges against the previous abbot, he eventually did so against the new abbot too.¹²¹ However, no record survives of Ralph's previous challenges. It is only due to this particularly expressive document that we know of Ralph's serial claiming. The extra details, notably the monk's outburst, were probably only included here for purposes of memorability, to be used against Ralph the next time he repudiated the grant. This act suggests that lay parties could use a claim to extract concessions for their own benefit, almost a sort of protection racket.¹²²

¹¹⁸ Préaux, A84; Mont-Saint-Michel, appendix I, 5.

¹¹⁹ See above, n. 56.

¹²⁰ *Predictus vero Radulfus Lutrellus ... sepe negavit hec se concessisse, donec aliquid inde possit habere.* The use of *donec* plus the subjunctive, expressing 'provided, so long as', emphasises the sense of the conditionality of the quitclaim.

¹²¹ *Sic sepe fecit Ricardo abbati Bajocensi; tandem hoc fecit Ricardo abbati Comitaville: Préaux, A84.*

¹²² For a further example, see the case of Geoffrey, who repudiated his father's gifts on the latter's death, but 'after twenty more shillings' confirmed them: Orderic, III, 190-1. For southern France, Johnson, 'Mother-daughter quarrel', pp. 277-8, suggests the same.

There are therefore indications that familial-based claims were sometimes driven by lay acquisitiveness. Doubtless, the cliché of lay greed often held true, but claimants might also direct any proffered remuneration towards a specific end, which was a convenient by-product of a claim. This is clear where we have the bigger picture of a claim, as in the case of William, whose challenge to his elder brothers' donation was probably part of a broader dispute over the family inheritance (resolved, at least in part, in William's favour).¹²³ Baldwin Blondel used the money he received after quitclaiming land donated by his father to fund his pilgrimage to Jerusalem, an expensive undertaking; the restoration also allowed him to settle his account with God before his departure.¹²⁴ Walter Vilanus' compensation of fifteen *solidi* matches the fee that his father had received when he had sold the claimed goods (vines at Aubevoye), suggesting that there was some reference to the earlier transaction.¹²⁵ This highlights the possibility of lay design, and also reflects the lay view of the impermanence of patronage. Walter probably considered that the sale had lapsed with his father's death; he was not merely blundering in to extort as much as possible, but intending to equal, or better, his father's price in claiming and then re-selling the vines (the transaction is described as a sale), an act which, given his nickname, was perhaps induced by necessity. Indeed, even behind the perceived base greed of Ralph Lutrel lay apparently genuine need: his hunger is noted, and the cart of hay he received (presumably as animal fodder) suggests some element of hardship, while his apparent satisfaction with a small pay-off suggests he had only short-term needs in mind. Economic compensation could therefore be a powerful inducement for bringing and settling claims to ecclesiastical land donated by ancestors or relatives, whether driven by simple greed, genuine need, or a particular objective, or indeed by all three.

Spiritual provision can also give insight into the comparative importance of familial and individual interest in family disputes of ecclesiastical patronage. Less than a third of cases record spiritual concessions, but spiritual rewards were probably not always

¹²³ Mont-Saint-Michel, 24.

¹²⁴ Mont-Saint-Michel, 86.

¹²⁵ Préaux, A135; Préaux, A133 for the father's sale, who had sold the vines with his brother for thirty shillings, so, assuming the fee was halved, Walter's father received fifteen shillings. Indeed, the act describing Walter's claim and sale is clear that Walter had claimed only the part of the vines sold by his father.

recorded, as they were so integral to monastic patronage.¹²⁶ If the act of claiming or seizing lands or goods donated to the Church by a predecessor or relative endangered the soul of the donor, the dropping of claims and restoration of the land in question gave an opportunity for this wrong to be righted, by securing fresh spiritual concessions. However, it may well be that the spiritual benefits specified for donors in the original acts continued, so there was no need to re-state them. This is particularly likely when claims were brought soon after (or even during) the grant, which were probably regarded as (and perhaps were) blatant attempts by relatives to extract compensation for the loss of land or claim to land, so no blame attached to the donor.¹²⁷

Nevertheless, it is striking that very few of the acts report spiritual rewards for the original donor. The idea that spiritual credit, accumulated through patronage, was vulnerable and could be jeopardised by the actions of others (as expressed in the ‘bridge’ charter) was powerful. Furthermore, where extreme spiritual sanctions were used against the donor and his relatives, the nullification of such sanctions was necessary: when William Goion repudiated his own grant, he and all his ancestors were excommunicated, sentences which were only lifted after his son’s later restoration.¹²⁸ As discussed earlier, ecclesiastical beneficiaries used the otherworldly carrot and stick to encourage donations and restorations and to deter claims, and these threats and inducements often focused on the fate of relatives in the next world, suggesting that such methods could be effective.¹²⁹ So it is noteworthy that only eight of the 19 acts record spiritual rewards directed towards the salvation of individuals other than the claimant, and only five of the eight mention the original donor (the claimant’s father in every instance except one, where both parents had made the grant).¹³⁰ The other three cases offer spiritual rewards to kin in general. This low attestation of spiritual concern for the original donor must reflect in part the assumption of the continuation, or the automatic reinstatement, of spiritual rewards for the initial grantor; the fact of the shared Mont-Saint-Michel provenance of the five acts also suggests the role of drafting practice.

¹²⁶ 19/62. See above, n. 112, for the slightly lower total here.

¹²⁷ Tabuteau, *Transfers*, pp. 116-7.

¹²⁸ Mont-Saint-Michel, 49.

¹²⁹ Above, pp. 171-3.

¹³⁰ Mont-Saint-Michel, 18; Mont-Saint-Michel, 71; Mont-Saint-Michel, 86; Mont-Saint-Michel, 114; Mont-Saint-Michel, 19.

However, comparison of the spiritual rewards granted for original donors with those granted for the claimant does suggest the dominant role of individual interest in family disputes over patronage. The underlying rationale is clear. If the claimant had been excluded from the spiritual benefits of the original grant, a claim ensured that he too would receive the otherworldly benefits of his worldly sacrifice, while from the monastic perspective, the remorseful layman was welcomed back into the bosom of the Church with spiritual rewards. The majority (16/19) of the spiritual clauses are directed towards the salvation of the claimant himself, within which most (11/16) are for the claimant alone, with only five also mentioning others. The interests of the claimants, rather than those of their kinsmen, the original donors whose good work they had apparently undone, therefore emerge most strongly, particularly when the spectre of otherworldly fate was close. Henry of Huntingdon's description of Robert de Meulan's deathbed (quoted above, pp. 174-5) conjures up an image of the dying laymen surrounded by churchmen, bombarded with threats of fiery hell. Tellingly, every quitclaim and restoration undertaken on the deathbed in the corpus of acts, bar one, offers spiritual concessions to the claimant alone.¹³¹ One act describes how the layman, Osbern, was too ill to journey to the abbey, so the restoration was carried out in two phases, first by Osbern at his home and later by proxies at the abbey, demonstrating Osbern's conviction to make the grant.¹³² The disquiet of Hervey, another repentant layman, emerges from his act as well: he specifically charged his heir with ensuring the return of the land, and the commemoration to be undertaken in his name is recorded in some detail.¹³³ The fact that Hervey had been excommunicate for a long time as a result of his usurpation, but was only now making the restitution, further suggests the power of the beckoning afterlife.

Kin conflict over ecclesiastical patronage was consistent with the overall picture of family discord in eleventh- and early twelfth-century Normandy. This type of dispute again attests the importance of hereditary landholding and inheritance within the family, while the dominance of individual interest (in its many forms) inherent within the

¹³¹ Préaux, A146; Mont-Saint-Michel, 20; Jumièges, 52. The exception is at BES, Livre Blanc de Saint-Martin de Sées, fos 46v-47r, where provision is made for the claimant and his ancestors.

¹³² Préaux, A146; see also BNF, ms. nouv. acq. 2527 (*Calumpniam quam Girardus Trove*), printed at Le Prévost, V, appendix VI, IV.

¹³³ Mont-Saint-Michel, 20.

disputing of kin's patronage also suggests subordination of broader family concerns. Monks recognised the likelihood of familial claims, and adapted their behaviour accordingly; Orderic's neat dictum on the procurement of gifts 'by prayer or price' (*prece seu precio*) sums this up nicely.¹³⁴ Guibert de Nogent considered the phenomenon of filial disputation of the patronage of ancestors a recent development, signifying the religious and moral decay of his times. However, this fundamental clash of interests had been recognised as early as the fifth century, when the Christian writer Salvian, arguing for total benefaction of the Church at the expense of heirs, pronounced, 'it is hard to leave only a little to sons and relatives; it is much worse to be tortured throughout eternity.'¹³⁵

¹³⁴ Orderic, III, 186-7.

¹³⁵ *Durum est ab aliquo filiis ab propinquis parum relinqui; multo est durius in aeternitate torqueri.* Salvian, *Ad ecclesiam*, in *Salvian de Marseilles: oeuvres tome I*, ed. and tr. G. Lagarrigue (Paris, 1971), III, 51. See Goody, *Family*, pp. 99-101, and chapter five more generally; also M. Aurell, 'Introduction. Rompre la concorde familiale: typologie, imaginaire, questionnements', in Aurell, ed., *La parenté déchirée*, pp. 9-59.

Conclusion

The dominant theme of this thesis has been the conventionality of disputes within families: even if family conflict was not the rule, it was certainly not the exception. I have brought together evidence about how kin discord was perceived and played out across Norman society, from the ruling house to the little-known families of local society. Several themes have emerged consistently, despite the inevitable gaps in the evidence and the disparity in the extent of source material between different social echelons. Family conflict was a common occurrence, and accepted as such by contemporaries (begrudgingly or opportunistically, depending on perspective). The patrimony was central to disputes, reflecting its place at the centre of the dynastic interest. Where the interests of the family and the interests of the individual did not coincide, the latter tended to predominate and family ties could be cast aside in the pursuit of individual aims, which may be directed towards a variety of ends.

How typical was family conflict in eleventh- and early twelfth-century Normandy compared with elsewhere? Contemporaries recognised that dynastic disputes, particularly within ruling houses, were widespread. For instance, Orderic reports dissension within the Danish royal family and the Burgundian ruling dynasty, William of Jumièges narrates an armed clash between the count of Flanders and his son, and William of Poitiers mentions a violent uncle-nephew dispute within the Breton comital house.¹ Furthermore, Suger, writing in the 1140s, used contemporary disorder in England and in the Empire, arising from the disputed succession of each region, to contrast with the happy situation of the kingdom of France after the smooth succession of Louis VII in 1137.² And indeed, analysis reveals shared themes.³ We can see the impatient young heir clamouring for greater power from his ageing father and lord in the Angevin discord between Count Fulk Nerra and his son Geoffrey around 1036, and in the quarrel between Philip I of France and his son Louis around 1100. Fraternal competition for power within a context of fluid or indefinite succession custom fuelled the recurrent violence between Fulk le Réchin and his brother Geoffrey in Anjou in the

¹ Orderic, IV, 54-5, VI, 428-31; *GND*, II, 52-5; *GG*, 72-3.

² Suger, *L'histoire du roi Louis VII*, ed. A. Molinier (Paris, 1887), pp. 147-9. My attention was drawn to this interesting passage by Martindale, 'Succession.'

³ Noted also by Martindale, 'Succession', Stafford, 'Sons and mothers', pp. 80-3, 100, and Aurell, 'Révolte nobiliaire', 40-2.

1060s, and the tensions of King Robert I's last years in France, which, on the accession of Robert's heir Henry in 1031, culminated in rebellion in favour of Henry's younger brother Robert. Other kinsmen, too, could be as adept as their Norman neighbours at exploiting an opportunity for individual gain at the expense of family ties, such as the ruthless Robert the Frisian, who in 1071 challenged and killed in battle his minor nephew, Count Arnulf III, and seized rule of Flanders for himself.

In any society in which power, wealth and status, based on finite resources, are concentrated within one family, or indeed within any one group, individual ambition means that competition is both inevitable and endemic; underlying factors and forces operating inside and outside the group can shape the extent, nature and impact of rivalry. The existence of these shared patterns is therefore not surprising, particularly as the principalities of the tightly-knit northern French world had much in common; the familial struggles of the Normans were not atypical. The very fact that Suger chose to frame his discussion of the fortunes of the French kingdom under Louis VII by contrasting it with the misfortunes of their neighbours across the Channel and to the east reveals his assumption of shared and widespread norms, particularly in relation to the nexus of political succession, inheritance and (dis)orderly rule. We also see other factors familiar from Norman dynastic strife in the disputes mentioned above: the focus of discord on wealth, status and power, the emotional and interpersonal dimensions, and the exploitation of disputes by opportunistic parties.⁴ Certainly, there were differences between regions in the way in which land and rule was passed from generation to generation, but discord nevertheless often hinged on the transmission of wealth and power; it seems that the variations were subordinated to the strong pull of landed and hereditary issues as a magnet for familial friction.⁵ Comparison at other levels in society, below the ruling house, is more difficult to achieve because of the weaker evidence, but the aristocracies too belonged to this cohesive northern French world, so there is no reason to think that the patterns of kin conflict were not also broadly alike.

⁴ For instance, Louis' reconciliation with Philip seems to have been marked by his greater involvement in royal rule; in 1031, Constance, the mother of Henry and Robert fomented the rebellion in support of Robert, her favoured son, and tensions between Louis and his stepmother Bertrade were probably partly behind his estrangement from his father around 1100; while a range of internal and external factions involved themselves in these various disputes in pursuit of their own ends.

⁵ Aurell, 'Révolte nobiliaire', 40-1, in his discussion of the comparative prevalence of conflict in ruling dynasties, also rejects any major role played by differences in succession mode. Martindale, 'Succession', p. 40, considers that most ruling houses were still searching for an effective method of smooth and peaceful political succession.

Normandy was set apart from its neighbours, however, by one major factor: the unprecedented scale of its success in 1066. None of the other northern French principalities experienced such a sudden and significant expansion: for instance, the kingdom of France only gradually extended its domains and power, the borders of Anjou remained relatively stable, while Maine's influence as an autonomous county was rapidly dwindling. As the preceding chapters have shown, the increased resources brought to Normandy by the Conquest led both to greater competition and to greater complexity, thus creating more opportunity for dispute within the ducal house and within aristocratic dynasties. If, compared to the surrounding counties and principalities, Normandy did see a higher and more acute occurrence of family conflict (and to demonstrate this for certain would take a more detailed exposition of the evidence than is possible here), it would probably be as a result of the changes brought by the acquisition of England. Other areas of northern France did see recurrent and sometimes quite significant periods of kin strife, but they appear more contained; for instance, there is nothing to rival the longevity and magnitude of the Clito threat. No other northern French family groups experienced quite the dilemmas and difficulties facing Norman houses after the sea-change of the Conquest; in neighbouring regions, there was therefore less opportunity for familial dispute in the first place, and less opportunity for such discord to escalate.

Some final remarks can be offered on the broader aspects of Norman power, law and society which are illuminated and elucidated by Norman family strife. First, the picture of family conflict which this thesis has painted reveals the fluid, pragmatic and, at times, ruthless nature of Norman political society, based on overlapping but often brittle personal bonds, alliances and conflicts. Second, the focus on dynastic disputes has shown how the lack of fixity within hereditary arrangement and transmission of lands encouraged contradictory and clashing perspectives. Third, consideration of dynastic conflict also demonstrates that such discord was a standard part of family life. Kinship was supple, and was often a resource to be exploited; kin conflict reveals not a gap between ideal and reality of family, but a number of co-existing realities.

Orderic's candid evaluation of the struggle between two kinsmen which I set out to prove (above, p. 16) suggests that he saw nothing paradoxical in the notion or actuality

of familial conflict; it made sense. The three broader aspects to which family conflict in eleventh- and early twelfth-century Normandy was allied – the workings of power and political society, landholding and inheritance, and the notions and reality of family – were characterised by a fluidity and a malleability, and this increased the incidence and significance of family strife. Rigidity and regularity in these key areas would have left less room for manoeuvre and familial discord would have been channelled in other directions. As it was, this shifting, precarious and potentially explosive dynamic is what gives this period of Norman history its interest and its vitality.⁶

⁶ For similar observations, Stafford, 'Sons and mothers', p. 100; M. Gluckman, 'The state and civil strife', in his *Politics, Law and Ritual in a Tribal Society* (Oxford, 1965), pp. 123-68, at p. 164.

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